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BEFORE THE  
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

IN THE MATTER OF THE:

REGULAR MONTHLY BUSINESS )  
MEETING )  
)

DATE AND TIME:       Friday, September 18, 1998  
                          9:30 A.M.

PLACE:                 Board Hearing Room  
                          8800 Cal Center Drive  
                          Sacramento, California 95826

Reported By:   Janene R. Biggs, CSR No. 11307

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A P P E A R A N C E S

Mr. Daniel G. Pennington, Chairman  
Mr. Robert C. Frazee, Vice Chairman  
Mr. Dan Eaton, Member  
Mr. Steven R. Jones

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1                               SACRAMENTO, CALIFORNIA:

2                               FRIDAY, SEPTEMBER 18, 1998, 9:30 A.M.

3                               ---oOo---

4                               CALL TO ORDER

5                               CHAIRMAN PENNINGTON: Good morning and  
6 welcome to the second day of the September 17th  
7 California Integrated Waste Management Board, which is  
8 an extension of the September 10th meeting of the  
9 California Integrated Waste Management Board.

10                              We have three items this morning on the  
11 takeup. We have of Continuing Business Item 6, Item 6  
12 of the regular agenda, Item 9 and Item 13.

13                              Before I ask the secretary to call the roll  
14 to establish if we have a quorum, I'd like to announce  
15 we do a fifth Board member joining us on Monday,  
16 Mr. Steve Rhoads, who is now the executive director of  
17 the Energy Commission, and I will be out of town, but  
18 Mr. Frazee has kindly agreed to swear him in sometime  
19 Monday morning when he gets here. So I'd like for you  
20 all to welcome him when he arrives, and we will be  
21 putting out a memo with a little background from  
22 Mr. Rhoads.

23                              Will the secretary call the roll, please.

24                              THE SECRETARY: Board member Eaton.

25                              MEMBER EATON: Here.

26                              THE SECRETARY: Frazee.

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1                   MEMBER FRAZEE:   Here.

2                   THE SECRETARY:   Jones.

3                   MEMBER JONES:    Here.

4                   THE SECRETARY:   Chairman Pennington.

5                   CHAIRMAN PENNINGTON:   Here.   We have a

6   quorum.   Okay.

7                   Let's move right to Continuing Business

8   Item 6, Contract Concepts.

9                   CONTINUING BUSINESS ITEM NUMBER 6

10                  CHAIRMAN PENNINGTON:   Good morning, Karin.

11                  MS. FISH:   Yes, good morning.   Karin Fish,

12   good morning, Board members, Chairman Pennington.

13                  This item is for the consideration and

14   approval of the contract concepts for the discretionary

15   consulting and professional services for Fiscal Year

16   1998-99.   The concepts being considered in this item

17   are being recommended for funding in both the RMDZ and

18   the IWMA funds.   This year we have an additional

19   4 million in the RMDZ fund that will be available both

20   for encumbrance and expenditure for the full three-year

21   life of the appropriation.   This is different than the

22   IWMA fund which as typical -- as a typical budget act

23   item is only available for encumbrance in this first

24   fiscal year.   So what that means is, we have some

25   additional time with the RMDZ funds, but the IWMA is

26   still fairly time critical, and with some of the funds



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1   having to go out to bid, we know that that is a four-  
2   to six-month process, and one of the things we have  
3   gotten back in the survey replies -- you know, we're  
4   surveying our constituencies and our customers to  
5   determine how that we can improve the RFQ process, one  
6   of the things they're asking for is more time. So IWMA  
7   funds are critical, and we hope that we can begin  
8   working on them as soon as possible.

9                   So with that commercial aside, we have  
10   grouped them under the priority areas, and staff will  
11   be making presentations that are designed to discuss  
12   the importance of each concept and how it will further  
13   the targets identified by the priority teams. Facility  
14   compliance will be addressed in the organics  
15   presentation, and staff are available for questions.  
16   The buy recycled item will be addressed by  
17   Karin Trgovich.

18                   So if you don't have any questions before we  
19   start, I'd like to ask the organics team to come up and  
20   make their presentation.

21                   CHAIRMAN PENNINGTON: Any questions of  
22   Karin? Okay.

23                   MR. LEVENSON: Just one second here to get  
24   the computer rolling.

25                   CHAIRMAN PENNINGTON: Sure thing.

26                   MR. LEVENSON: Okay. Good morning

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1 Mr. Chairman and Board members. For the record, my  
2 name is Howard Levenson, and I am a supervisor of the  
3 organic materials management section. I'm here on  
4 behalf of Bill Orr who's the team leader for the  
5 greening team that prepared the organics performance  
6 plan. This morning I'll be presenting to you with a  
7 brief overview of the organics related concepts on the  
8 agenda item and how they relate to the greening team  
9 performance plan targets.

10 Okay. To set some context, approximately  
11 one-third of California's waste stream is composed of  
12 organic materials. Of this third, there are four  
13 materials, food scraps, grass, other yard trimmings and  
14 wood that comprise about seven percent each, making up  
15 about 28 percent of that 38 percent. The performance  
16 plan that we presented to you early this year laid out  
17 a vision of finding a home for all compostable organic  
18 materials with a specific goal for the year 2000 of  
19 diverting an additional 5 to 7 million additional tons  
20 per year by that time. In developing the performance  
21 plan and in considering potential contract concepts  
22 that we would bring before you, the greening team used  
23 assistance approach that linked the different parts of  
24 what we call the organic system, generation,  
25 collection, processing, manufacturing, and end use. We  
26 then crafted, very briefly to review, six targets --

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1 performance targets related to that system. First, to  
2 increase the onsite management of grass, other yard  
3 trimmings, and residential food scraps.

4 Second, to decrease the waste of commercial  
5 and institutional food scraps.

6 Third, to improve feedstock quality thereby  
7 increasing product marketability.

8 Fourth, to develop a balanced regulatory  
9 framework that protects public health and environment,  
10 and at the same time increases business opportunities.

11 Fifth, to increase procurement in use of  
12 compost and land mulch in landscaping.

13 And then sixth, to increase use in  
14 agriculture.

15 The greening team developed a suite of six  
16 contract concepts for consideration by the Board that  
17 would directly had implement specific components of the  
18 performance plan. I'll be presenting these concepts to  
19 you very briefly organized by target, and where there's  
20 an asterisk, as on 43, it simply means that the concept  
21 addresses more than one target.

22 For Target 1, the greening team originally  
23 developed Concept Number 6, regarding grass cycle video  
24 production, in anticipation that funds would be  
25 forthcoming from the loan fund. The team then expanded  
26 that concept into what's now Number 46. So I'll be

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1 limiting my remarks to Number 46 this morning.

2           That concept would finish the editing and  
3 production of the video and arrange for distribution of  
4 it, develop PSA's and public service segments -- or  
5 public access segments, update the grass cycling  
6 brochure, and significantly would provide funding for  
7 two to four regional partnerships that would be  
8 implemented largely by the participating jurisdictions  
9 in those partnerships.

10           Concept 43 also addresses parts of Target 1  
11 and Target 5 as well. This concept encompasses  
12 partnerships with the landscaping industry and local  
13 jurisdictions that would lead to the adoption of  
14 on-site management practices and increased procurement.  
15 Kind of a three R approach, reduce, reuse, and recycle  
16 with that industry sector.

17           With Concept Number 2 the team had proposed  
18 Concept Number -- for Target 2 the team had proposed  
19 Concept Number 14 regarding commercial BMP's for food  
20 scraps, BMP's being best management practices. That  
21 would lead to the development of BMP's with targeted  
22 industry sectors such as groceries, restaurants, and  
23 food service providers and institutional entities that  
24 have food scraps as a large component of their waste  
25 stream.

26           Concept 44 would address Target 3, and it



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1 calls for -- this is titled, "Feedstock and Product  
2 Quality Issues," and this would call for the  
3 development of a feedstock acceptability index so that  
4 we can begin getting information about the  
5 acceptability of different feedstocks to compost and  
6 mulch producers when they come from different kinds of  
7 collection systems, curbside versus MERF and other  
8 variations.

9               It also would provide for developing a  
10 strategy and materials to promote improved feedstock  
11 quality and provide for a forum on what's next in  
12 product quality issues and guidelines and so forth.

13               For Target 5, I already mentioned Concept 43  
14 regarding the commercial landscaping partnerships.

15               Concept 45 addresses both Target 5 and  
16 Target 6. That concept would provide funding -- it's a  
17 partnership for agricultural and other end uses. It  
18 would specifically provide funding for partnership  
19 projects related to agricultural, erosion control and  
20 other end uses as contemplated in the plan. The  
21 concept also would support workshops and conferences in  
22 other ways of promoting end uses and disseminating  
23 information to potential end users around the state.

24               In addition to the concepts that were  
25 developed by the team itself, there were three concepts  
26 that weren't developed by the team but that would

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1     enhance the planned outcomes of the performance plan.

2                     For Target 2 we have Concept Number 2, from  
3     Mr. Eaton's office, that would establish pilot programs  
4     at tourist attractions and other events.

5                     For Target 4 there are two contract concepts  
6     that were developed by the permitting and enforcement  
7     division -- by the permitting enforcement and  
8     compliance team that would definitely enhance the  
9     planned outcome of Target 4 and which are endorsed by  
10    the greening team.

11                    Concept 9 calls for the development of odor  
12    control standards for compost facilities. This is  
13    response to the the Board's responsibilities pursuant  
14    to SB-675, and it would be very important for  
15    increasing public acceptance for composting facilities.

16                    And then there's Concept 10, which would  
17    establish research for emissions for compost facilities  
18    such as on bioaerosols, and that's needed to provide a  
19    sound scientific background so that we can develop  
20    guidance for proper mitigation measures and siting  
21    requirements.

22                    Now, I'd like to spend a couple of minutes  
23    before I wrap up on issues regarding timing and the  
24    kinds of contract vehicles that we would propose using  
25    to implement these if they're approved by the Board.

26                    Timing is important for all of the contract

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1 concepts that the greening team, and the related ones  
2 that we've either developed or others have proposed,  
3 but for two in particular, time is actually running out  
4 if we are going to have any chance of being effective  
5 with those activities. Those are Number 46 related to  
6 grass cycling outreach, and Number 43 related to  
7 commercial landscaping outreach. If we don't have  
8 funds in place within the next two months or so, local  
9 jurisdictions are not going to be able to adjust their  
10 budgets accordingly, nor are they going to be able to  
11 coordinate the various activities that are needed to  
12 happen by or to commence in February or March. So with  
13 grass cycling outreach contract, we would propose that  
14 we work to select the regions using the kinds of  
15 criteria that the greening team used in establishing  
16 its targets, such as amounts of waste -- or in this  
17 case, amounts of grass generated in the jurisdictions,  
18 how much is being diverted or not being diverted,  
19 overall implementation of programs related to organics,  
20 geographic clustering so we can get the most effect in  
21 a region and just ability to work together on a  
22 regional basis.

23           We would enter into or at least draft  
24 preliminary scopes of work with the regional groups  
25 that we identify and then try to identify out of that  
26 group a local jurisdiction that could serve as sort of

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1 a fiscal agent that we could enter into an interagency  
2 agreement with. We would then propose to come back to  
3 you in November for approval of the specific scope of  
4 work and the award of an interagency agreement for  
5 those regional campaigns.

6 We also would be proposing to amend the  
7 existing Nasser Services agreement with Citygate  
8 Associates or another existing agreement in order to  
9 finish the video production and develop some of the  
10 other generic materials that could be used by  
11 jurisdictions statewide.

12 Similarly with the commercial landscape  
13 outreach, Contract Concept Number 43, we would be  
14 trying to select regions using the greening team  
15 criteria, work within those regions to identify  
16 appropriate landscaping associations and participating  
17 local jurisdictions, develop a draft work statement, or  
18 scope of work, with a local jurisdiction that, again,  
19 could serve as a vehicle for an interagency agreement,  
20 and then come back to the Board, again, tentatively  
21 early November, if possible, with approval of the  
22 scopes of work and award of the agreements.

23 The other three primary contract concepts  
24 the greening team proposed also have a timeliness to  
25 them, but there is sufficient time for us to go through  
26 a competitive process, and RFP process. So in all of



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1 those cases, we would be coming back to you for  
2 approval of a scope of work as soon as we could get  
3 those developed subsequent to your approval of the  
4 concept and then go through the RFP process and return  
5 to you with recommendations for awarding the contracts,  
6 and there may be multiple awards off of those  
7 individual RFP's depending on the nature of the process  
8 itself.

9                   So that would be true for Number 14,  
10 Number 44 on feedstock and product quality, and  
11 Number 45 on partnerships for agricultural and other  
12 end uses.

13                   That concludes my presentation this morning.  
14 I'd be happy to answer any questions now, or, Karin I  
15 don't know if you want to defer questions until later,  
16 whatever the Board's pleasure is.

17                   CHAIRMAN PENNINGTON: I think we would like  
18 to ask some questions now.

19                   Mr. Jones.

20                   MEMBER JONES: Thanks, Mr. Chairman.

21                   Howard, on 46, the grass cycling videos and  
22 stuff, how much of that could be put aside for grants.  
23 That's similar to the operations we had in L.A. They  
24 learned a lot, from what I understand from Trevor, that  
25 they need to change that, but that's a jurisdiction or  
26 group of jurisdictions that want to promote that as

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1 much as possible so they don't have to compost the  
2 material.

3 MR. LEVENSON: Well, I don't know if we have  
4 authority to use these monies for grants per se, but by  
5 going into an interagency agreement it would be with an  
6 entity such as the L.A./Orange County -- they have a  
7 new name now -- Public Education Grass Cycling  
8 Campaign, or Grass Cycling Public Education Campaign.  
9 That would be one of the regional groups that we would  
10 hope to work with and contract with through an  
11 interagency agreement as opposed to a grant. I think  
12 it would accomplish the same exact purpose. It would  
13 be --

14 MEMBER JONES: How much of the 550 would you  
15 figure is going to go that way?

16 MR. LEVENSON: Approximately 400 to 450,000  
17 of that to 2 to 4 regional campaigns, depending on  
18 interest upon the part of local jurisdictions.

19 MEMBER JONES: Okay.

20 MR. CHANDLER: Howard, I know Mike Kenny,  
21 the director of the air board, called me and indicated  
22 that they were interested in working with the local  
23 ABCD's down in South Coast and other communities down  
24 there on a similar campaign that we had just gained  
25 experience on. Are we in good coordination with the  
26 air board on any efforts they may want to launch to put

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1 mowers in place that are pollution free and utilize the  
2 grass cycling mulch mower concepts?

3 MR. LEVENSON: Actually, in talking with the  
4 L.A. and Orange County folks who participated in last  
5 year's campaign, they are trying to separate into two  
6 separate committees or workgroups. One would be  
7 focused on grass cycling education with a -- well, a  
8 strict focus on grass cycling per se. The other would  
9 be an air quality mower kind of effort that would be  
10 run in conjunction with the QMD's down there, the  
11 utilities, because one of the messages that they are --  
12 or lessons that they feel they learned last year was  
13 the fusion of the messages. There were just too many  
14 people in the pot for last year's campaign.

15 So at this point we focused our initial  
16 talks with the public education campaign regarding  
17 grass cycling. I would suspect that we would be asked  
18 to provide some kind of technical assistance on the mow  
19 down, or the mower air related kinds of work.

20 MR. CHANDLER: Okay.

21 CHAIRMAN PENNINGTON: Mr. Eaton, did you  
22 have some questions?

23 MEMBER EATON: Yeah. My understanding is we  
24 have a BCP in on this item, as well as on organics.  
25 Could you tell me how much money is requested of that  
26 BCP?

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1                   MR. LEVENSON: That's correct. The BCP  
2 that's gone forward requests, I think, the latest  
3 version -- it's changed several times -- I think  
4 requests four staff positions and 1.6 million per year  
5 in contract funding.

6                   MEMBER EATON: And that's in addition so  
7 that this BCP would be coupled with the monies that  
8 you're asking for here; correct?

9                   MR. LEVENSON: That's correct. It would be  
10 subsequent years.

11                  MR. FRAZEE: It's not this year, though, is  
12 it?

13                  MR. CHANDLER: No, that would be for -- the  
14 BCP that we're talking about --

15                  MR. FRAZEE: Would be for subsequent years.

16                  MR. LEVENSON: -- Dan, you may want to help  
17 me out on my memory, but when we sat down with the  
18 action on the BCP's, my recollection was is that I  
19 think they totaled a significant level, and they wanted  
20 us to scale back significantly and merge the local  
21 assistance, the organics and the C&D areas, into a  
22 single BCP for \$4 million, and that would be for budget  
23 year '90.

24                  MS. FISH: Yes.

25                  MR. CHANDLER: That was the latest direction  
26 we got last week. I don't think we've even talked to



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1 the program staff yet on how that has potentially been  
2 modified from what was an individual organics BCP, an  
3 individual C&D, an individual local assistance BCP.  
4 Do you remember that discussion with Peter?

5 MS. FISH: We did go back and work with the  
6 program to modify those BCP's.

7 MR. CHANDLER: I just want to be as accurate  
8 as we can --

9 MS. FISH: Yes.

10 MR. CHANDLER: -- with Mr. Eaton's question  
11 so that we give him the latest --

12 MS. FISH: At this point, what we didn't  
13 know and what we were considering was how much of the  
14 4 million would give us an early implementation on the  
15 BCP's, and so we knew that the BCP's possibly then  
16 could be modified at a later date with an early  
17 implementation, and they might possibly be reduced with  
18 any of the money that was then augmented earlier, and  
19 so we can't really make that determination until we see  
20 the direction of the first 4 million.

21 MR. CHANDLER: That would be for '90.

22 MS. FISH: Right.

23 MR. CHANDLER: Not '89.

24 MS. FISH: Right.

25 MR. CHANDLER: And that's Mr. Frazee's  
26 point.

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1 MR. FRAZEE: Right.

2 MS. FISH: The conversation that we're  
3 having right now with the BCP's, we need to remember  
4 that the specific details of the BCP's are confidential  
5 as well. We need to be cognizant of that fact.

6 MEMBER EATON: Is there any monies in Item  
7 Number 46 for just the purchase of blades?

8 MR. LEVENSON: That would be dependent on  
9 the local, or the regional partnership if there were  
10 monies that they wanted to use for those kinds of  
11 purposes, they could propose that in the scope of work,  
12 and that would be coming back to you for approval.

13 MEMBER EATON: Do you think that perhaps  
14 when you go to a Sears-Roebuck or a Montgomery Ward or  
15 any kind other kind of Toro place, or whatever, and you  
16 go and buy a \$7 blade that mulches, it serves the same  
17 impact as trying to do so many other kinds of work that  
18 we're trying to do? You reach more people.

19 MR. LEVENSON: That's true, and we also are  
20 trying -- I wouldn't say that it necessarily is more  
21 effective, because we have had some work with mower  
22 manufacturers in trying to get promotional materials  
23 into retail outlets, and we're trying to expand that  
24 with the various manufacturers. That would be  
25 independent of this, but certainly linked in with it,  
26 that perhaps point of material -- point of purchase

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1 materials on mowers, telling people how to use the  
2 mowers or how to retrofit, as you say, with a blade --

3 MEMBER EATON: But, wouldn't it also be  
4 helpful that just educating without the implentation,  
5 actually having them do it, that there's a gap there  
6 and that part of the program ought to be in terms of  
7 being able to either us purchase those items for  
8 giveaway with the local jurisdictions?

9 MR. LEVENSON: Well, I'm not sure if you're  
10 talking about -- I'd have to come back to you with some  
11 information as to what that might cost, but if we're  
12 talking about --

13 MEMBER EATON: Well, if it's \$7 a blade,  
14 which is what I just recently paid at Sears-Roebuck, at  
15 10,000 of those that's 70,000. Do the math. 20,000,  
16 140,000. 30,000, 210,000.

17 MR. LEVENSON: We would be hoping to  
18 actually through an outreach campaign in conjunction  
19 with point of purchase materials to effect a larger  
20 target than that.

21 MEMBER JONES: If on the L.A. grass cycling  
22 thing -- that was one of the things that was talked  
23 about. It was one of the things that was part of the  
24 educational program. The issue was it was a mow down  
25 pollution campaign. It was a campaign that was geared  
26 to pollution at the same time as the grass cycling, and

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1 I know L.A. Sand District wanted to promote the blades,  
2 and it didn't matter what kind of a mower, just so long  
3 as it was a mulching mower, and there were some  
4 constraints because of the fashion that you put the  
5 program in, that we needed it to be a supplemental  
6 piece of the program, and so I think -- I know that the  
7 L.A. people always promoted that as an option, but it  
8 was a mow down pollution campaign originally. That's  
9 why I'm glad to see it's separated out as two pieces.

10 MEMBER EATON: Well, let me ask another  
11 question then.

12 Is part of the \$515,000 to finish up the  
13 money -- the video for what we spent on the video a  
14 couple of weeks ago, or a month ago?

15 MR. LEVENSON: That's correct. Some monies  
16 would be spent on that.

17 MEMBER EATON: Could you explain to me then  
18 how, when we entered into into a contract for video,  
19 that we didn't obtain that the rights to a final  
20 product, that all we entered into a contract for was  
21 the right for a partial version of the -- of the video,  
22 and that, therefore, we have to spend additional  
23 dollars in order to complete the project?

24 MR. LEVENSON: At the time that that  
25 contract came before you earlier this year, I believe  
26 it was May, we had identified a need to begin shooting



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1     footage for a spring 1999 grass cycling campaign. We'd  
2     identify the need for start shooting footage this  
3     summer or early fall at the latest in order to have a  
4     video in place by the spring. In the item that was  
5     brought before you, there was -- I forget the exact  
6     total, but there were some remaining funds unencumbered  
7     from 97/98, and we brought forward two or three  
8     contract concepts that would be funded out of those  
9     monies. 45,700 was allocated by the Board for initial  
10    production of the video, but in the item itself we did  
11    indicate that that was for initial production only and  
12    that there would be subsequent needs for final editing  
13    and production at a later date.

14                 MEMBER EATON: Explain to me why some of  
15    that footage couldn't have been used for a PSA with the  
16    original 94,000, or whatever we allocated?

17                 MR. LEVENSON: It certainly can be, and what  
18    we're proposing is that we amend the -- one possibility  
19    is to amend the MSA with Citygate to, indeed, produce  
20    that -- those PSA's out of the footage they're  
21    scheduled to shoot in the next couple of weeks.

22                 MEMBER EATON: How much was the original? I  
23    can't recall. The original outcome.

24                 MR. LEVENSON: Last year's MSA was 45,700.

25                 MS. TRGOVICH: The original concept -- this  
26    is Caren Trgovich -- I believe was for \$109,000, and it

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1 was proposed to be funded out of fiscal year 98/99  
2 monies. When 97/98 monies -- year-end monies were  
3 available, we carved out the 45,000 plus to begin  
4 production on the video. I think what Howard's  
5 bringing forward in terms of using monies through this  
6 concept, it's to complete that work, and it's just more  
7 a matter of what tasks were omitted from the original  
8 contractor, original scope of work to put it within the  
9 45,000, and then the remaining tasks are then included  
10 in this larger concept for consideration for fiscal  
11 year 98/99 monies.

12 MEMBER EATON: Well, are we purchasing time  
13 to show the video?

14 MR. LEVENSON: That would be one of  
15 prerogatives of the local campaign that depending on  
16 their own plan of activities that they come up with,  
17 the monies that would go to the regional campaigns, the  
18 450-odd thousand divided up among X number of  
19 campaigns, two to four, they would be spending it on  
20 purchase of media time. It could be on stuffing  
21 envelopes with promotional materials. It could be  
22 working with the manufacturers. That will be worked  
23 out on a regional basis.

24 MEMBER EATON: So we would have no say.  
25 It's up to their discretion, how they want to  
26 distribute the video.

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1                   MR. LEVENSON: You would have final say on  
2 the scope of work which would include those kinds of  
3 details. We would have to come back to you, hopefully  
4 in a short time frame in November, with a detailed  
5 scope of work that lays out the various activities  
6 contemplated by the region and time lines for their  
7 implementation. So I think --

8                   MEMBER EATON: Do you think it's a wiser  
9 expenditure of taxpayer dollars to the produce video  
10 and then go out on your own campaign and provide a  
11 statewide -- initiative statewide media campaign with  
12 the kind of resources we have in house, as well as  
13 purchasing outside time and trying to get public  
14 service announcements for probably a third of the cost  
15 of what we're paying for commercials, especially in a  
16 market such as Fresno or in some of the other areas?  
17 We all know that in L.A. it's very difficult to  
18 purchase media time because of the market, and so on  
19 and so forth. You might be able to do cable systems.  
20 You might be able to do other kinds of things, but what  
21 then about radio. I don't see in anything in here on  
22 radio. Radio is a way to reach probably many more  
23 people.

24                   MR. LEVENSON: Radio would certainly be  
25 included in as one the options under the regional  
26 campaigns. There's nothing precluded for many of those

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1 regional campaigns. It would depend on their own  
2 particular media contacts and needs that they determine  
3 in conjunction with us.

4 MEMBER EATON: This money would be the RMDZ;  
5 correct.

6 MR. LEVENSON: That's correct.

7 MEMBER EATON: And that would be the money  
8 that would be out of the 4 million. Do we have to  
9 encumber that money within one year, or what do we have  
10 to do? Can we encumber it over the course of three  
11 years?

12 MS. FISH: You have three years.

13 MEMBER EATON: Let me ask one other  
14 question.

15 With regard to Contract Concepts Items 9 and  
16 10, Item 9 is the only one that's required by statute;  
17 is that correct?

18 MR. LEVENSON: I'd like to refer that to  
19 Julie. I believe that's correct, but I don't know for  
20 sure.

21 MEMBER EATON: 'Cause they continue to have  
22 a hard time distinguishing between 9 and 10.

23 MS. KIHARA: Hi. I'm Diane Kihara.

24 Did you want me to answer questions on 9 or  
25 10? 9 is required by statute, yes, you're correct.

26 SB 675 is the statute. 10 is not required by statute,  
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1 but what it is, is a beginning on a study, particularly  
2 to focus on bioaerosol emissions from composting  
3 facilities. What we have been finding is that many of  
4 the facilities -- or there's question as to whether or  
5 not there's public health threat from the bioaerosols  
6 that might be coming from those facilities.

7 Does that help clarify at all?

8 MEMBER EATON: And how would that affect  
9 Concept 9. Is that one and the same?

10 MS. HAPBERSBERGER: Concept 9 --

11 MEMBER EATON: Does Concept 9 deal with  
12 composting?

13 MS. KIHARA: Yes.

14 MEMBER EATON: So how is it different?

15 MS. HAPBERSBERGER: Concept 9 --

16 MEMBER EATON: I don't know a whole lot  
17 about it, so I'm trying to educate myself. I've been  
18 educated on CEQA yesterday, so now I'm trying to get  
19 composting today.

20 MS. HAPBERSBERGER: Sue Happersberger.

21 Concept 9 is for developing odor standards  
22 for odor measurement and developing thresholds to  
23 helping resolve odor issues at compost facilities and  
24 would include generating a technical guidance document  
25 for LEA's to assist with odor complaint responses,  
26 investigations enforcement.

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1                   MEMBER EATON: But wouldn't the by-product  
2 be Number 10 out of Number 9 in the study?

3                   MR. SMITH: No.

4                   MEMBER EATON: Why?

5                   MR. SMITH: Odor -- the chemicals creating  
6 odor are different in the action from the composition  
7 from the potential hazards of the -- than the emission  
8 studies in Number 10. You're lacking at things in 10  
9 like aspergillus, which is not a factor in odor. These  
10 are two -- scientifically these are two separate and  
11 distinct emissions from a compost facility. The  
12 commonalities of the compost facility, the science is  
13 radically different.

14                  MEMBER EATON: So we'd be developing a  
15 standard for one and not including the emissions for  
16 Number 10 in that standard?

17                  MR. SMITH: It's an entirely separate study.  
18 The odor chemicals are different from the --

19                  MEMBER EATON: But should it be part of the  
20 same study --

21                  MR. SMITH: The --

22                  MEMBER EATON: -- in order to have the  
23 complete record of standards? Are we going to have to  
24 set standards for Number 10 once we do the study?

25                  MR. SMITH: We don't know. We don't know.  
26 That's part -- there is -- once you mentioned the

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1 department of health services.

2 MS. KIHARA: Right. One of the reasons why  
3 this contract concept was put forward is because we  
4 have been asked repeatedly by the local enforcement  
5 agencies dealing with composting facilities and citing  
6 of composting facilities because of surrounding  
7 communities and their concerns with bioaerosols, and,  
8 in fact, they have asked the Department of Health  
9 Services, who has now somewhat been involved in trying  
10 to put some information together for the local  
11 enforcement agencies, the local health officers dealing  
12 with emissions from bioaerosols.

13 I just wanted to add one thing. The two do  
14 relate to composting facilities. The measurement for  
15 odors, as Mr. Smith said, is very, very different than  
16 measuring for bioaerosols. The sampling is totally  
17 different. It's not to say that you couldn't go to a  
18 facility maybe and look at odor and bioaerosols. It's  
19 just that the two have been separated out.

20 MR. CHANDLER: Maybe one way to also clarify  
21 the distinction is, you may recall, members, that until  
22 recently the issue of trying to monitor odor at  
23 composting facilities fell primarily with the local air  
24 pollution control officers, and they had some 24-hour  
25 response process that they went through to try to deal  
26 with community complaints and odor at composting

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1 facilities. Recent legislation changed that  
2 responsibility to the local enforcements agents, and so  
3 they are now, in a sense, the ones responsible for  
4 dealing with odor issues at composting facilities.  
5 Formerly an air district responsibility; now an LEA  
6 responsibility.

7               The department that is concerned about the  
8 bioaerosol issue is the Department of Health Services,  
9 and they have a completely different interest, and that  
10 is, is there health risks associated with these  
11 facilities with any airborne fungus or airborne  
12 bioaerosols that may be transmitted through the entry  
13 and exit of trucks and other traffic at composting  
14 facilities, and they would like to establish some  
15 potential operational standards at these facilities  
16 around the health affects of bioaerosols.

17               So you have the Department of Health  
18 Services that wants to look at some issues. You have a  
19 former air responsibility that is now LEA  
20 responsibility, and I think that's the best way I can  
21 describe the two different aspects of what is going on  
22 at composting facilities but is being looked at from  
23 two entirely different departments, air districts  
24 health services, LEA's health services, on our area of  
25 organics.

26               MEMBER JONES: If I could just for a second.



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1                   On the health services stuff, though,  
2   they've either issued a report or are ready to issue a  
3   report without the benefit of these studies.

4                   MS. KIHARA:  There have been some studies  
5   done, but there's not enough, in our opinion, enough  
6   scientific validity, or enough science there to back up  
7   some of the requirements in the report, but you are  
8   correct, you know.

9                   MEMBER JONES:  Right.  And if those stand  
10  without this report, they're going to harm -- they  
11  could harm composting facilities and the expansion of  
12  them, because of some arbitrary decisions that have  
13  been made with existing data.

14                  MS. KIHARA:  Right, and we recognize there's  
15  a need.  This is a beginning to try to start getting  
16  information, because if you look at all of the  
17  scientific and technical literature, basically what it  
18  says is, this is something we need to be concerned  
19  about, but there's just not enough information out  
20  there.  We don't know really what's coming off of these  
21  facilities, and if, in fact, the bioaerosols or  
22  aspergillus is coming off of these facilities, it's  
23  specific to these facilities because those kinds of air  
24  emissions are so ubiquitous.

25                  MR. CHANDLER:  I did write the director,  
26  Kim Bilshay (phonetic), a letter asking that she allow

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1 the Board to consider this issue prior to releasing  
2 that report, because I think the report itself would be  
3 immediately subject to some type of peer review and,  
4 frankly, goes into recommending operational  
5 recommendations at composting facilities that I think  
6 this Board really has the responsibility for, such as  
7 setting buffer zones and other types of expensive  
8 monitoring equipment for bioaerosols, and I think it  
9 would set back the composting industry just due to the  
10 increased costs of running these operations, which I  
11 believe are recommendations that have not yet been  
12 scientifically established. So I'm encouraging that  
13 she not release the report, and we look and see whether  
14 or not we can bring any funds to the table to further  
15 the science, if you will in this area. Are there  
16 health risks from bioaerosols at compost facilities,  
17 and if so, what are the standards that perhaps down the  
18 road should be set? But that, again, is a separate  
19 analysis and separate review than providing the tools  
20 the LEA's need to deal with odor issues.

21 MEMBER EATON: So I'm thinking -- and I  
22 don't get this -- but I don't know how you can go and  
23 try and measure odors and not consider the health risks  
24 in the first place under Number 9. You just can't  
25 separate the health. Now, you may have a separate  
26 analysis, I agree, but you can't develop odors and

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1 standards and measure if you don't have the health  
2 effects, 'cause how else can you relate back what  
3 threshold level in 9 if you don't know what the health  
4 effects are? Aren't they one and the same?

5 MS. KIHARA: They are somewhat linked, but  
6 the basic difference is, is that a health effect from a  
7 bioaerosol may be very different than odor. You may  
8 have a bioaerosol present, but you may not be able to  
9 smell it. So it doesn't necessarily mean --

10 MEMBER EATON: But you're going to measure  
11 that in Number 9, aren't you? Aren't you going to test  
12 for that?

13 MS. HAPBERSBERGER: There's very few  
14 laboratories in the state that measure bioaerosols, and  
15 so if we combined the two, we'd be limiting ourselves  
16 on the laboratories that we could use on the other  
17 study, which is using odor panels.

18 MEMBER EATON: I just don't understand it.

19 MR. CHANDLER: Diane, is your -- let me ask  
20 you this way. Could both of these, what we may agree  
21 are distinct subject matter areas, be combined into a  
22 single request for analysis, perhaps one being Task 1  
23 and one being Task 2, with a third kind of a summary as  
24 to whether the interrelationships are there and what  
25 they are? If I'm following Mr. Eaton's question, I  
26 think he's looking for --

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1                   MS. KIHARA: Let it out as one contract  
2   concept and look at bioaerosols and odor emissions from  
3   a composting facility and have the report cover both?  
4   Yes, that could be done.

5                   MR. CHANDLER: Is that what you're looking  
6   for?

7                   MEMBER EATON: I'll give it some  
8   consideration as we move through the others. I just  
9   don't -- frankly don't understand it. I fully admit  
10  it's probably me who doesn't understand the process,  
11  but I would think that that's part of what should be  
12  doing here, or at least being prepped on on some of  
13  this stuff, and this is the second or third time we've  
14  come up with this, and it's still not clear, so  
15  obviously I have a block on it.

16                  MR. SMITH: Let me make a crude analogy.  
17  Odor is the broken leg. Aspergillus is the viral  
18  infection, and we've got two different diagnostic  
19  panels here, and possibly two different specialists,  
20  dealing with these issues, and there is a separation.  
21  You can have odor -- well, not without aspergillus.  
22  Aspergillus has no issue within the odor area. You can  
23  certainly have aspergillus without odor. They're two  
24  scientifically separate things. We're looking for two  
25  different diagnostic analytical groups to look at these  
26  effects coming out of here, so we're asking for a



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1 broken leg specialist and a viral specialist to give us  
2 information that would lead us then to create the  
3 regulations around it. We're not looking at these  
4 people to do the regulations. That's our job. We're  
5 looking at these people to provide the underlying  
6 science to enable us to make intelligent decisions. So  
7 by combining -- I think you're limiting the access to  
8 capable laboratories to be able to give us the standard  
9 of analysis. That's about -- you know, it's a crude  
10 analogy, but that's the analogy that's applicable here.  
11 They are same body, two different issues within that  
12 body, and we're looking for the best leg setter. We're  
13 looking for the best viralologist to give us that  
14 information so we can create the standards.

15 MEMBER EATON: Which are not required under  
16 675; correct?

17 MR. SMITH: Correct.

18 MEMBER EATON: So don't you think it would  
19 be a good thing and a good thing for the public health  
20 to be able to go beyond what the statute says and try  
21 and protect the health and welfare people if we have  
22 the opportunity?

23 MR. SMITH: Absolutely.

24 MEMBER EATON: So why aren't we doing it  
25 with this?

26 MR. SMITH: I'm not understanding your last  
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1 question.

2 MEMBER EATON: Just move on.

3 CHAIRMAN PENNINGTON: Okay.

4 MR. ANSO: If we wanted to move on, that's  
5 fine. Tom Anso with the LEA Support Services Branch.

6 If I could try to simplify just a bit.  
7 Generally from a public health standpoint of which  
8 background I'm intimately familiar with, is odors  
9 typically have been construed in the area of a nuisance  
10 complaint as opposed to a potential public health  
11 complaint. Now, what we are trying and attempting to  
12 do is to, under SB-675, identify the potential for odor  
13 and nuisance resolutions in a specific time frame  
14 definite which we've been given under the statute to  
15 identify those recommendations back.

16 The separate issue, which we are concerned  
17 with as a Board, in a number of areas, one is the  
18 potential public health hazard to the local community,  
19 to the health and safety workers, our inspectors at  
20 facilities, the LEA inspectors at facilities, resolve  
21 around the area of the bioaerosols and the potential  
22 for effects for a variety of potential exposures to  
23 pathogenic organisms. Within that time association and  
24 frequency, indeed the HS has been requested to evaluate  
25 that process. They're in their second year of  
26 attempting to do so and have recently completed an

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1 in-depth literature research, which, as our initial  
2 review of that search indicates, that there is a lack  
3 of a focus review in scientific in-depth evaluation of  
4 what the actual exposure is. In this Number 10, then,  
5 would identify actual testing procedures to identify  
6 what potential risks would be there and what that  
7 resulting potential setback, distances, operational  
8 requirements for compost facilities. We see that as an  
9 extremely important area where we're looking at the  
10 priority areas, both for the organics greening team,  
11 and accomplishing those priority areas in the increased  
12 usage in accomplishing those 50 percent reduction in  
13 diversions for compost facilities.

14           At this point, then, looking at those  
15 bioaerosol, potential siting issues may, in fact, if  
16 there is confirmation of bioaerosol exposures and  
17 potential public health issues, and required setbacks  
18 may severely limit or alter our approach in the siting  
19 of and development of regulations relating to organic  
20 processing and the composting organizations.

21           So we see them as if definitely related, but  
22 not necessarily integrated together from the standpoint  
23 of cause and effect. There can be an odor, but there  
24 may not be any potential exposure from a public health  
25 standpoint for health risk. And that's kind of the  
26 separation.

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1                   I don't know if that helps explain a bit. I  
2   can certainly answer more questions if you like.

3                   MEMBER JONES: I have a question,  
4   Mr. Chairman.

5                   CHAIRMAN PENNINGTON: Mr. Jones.

6                   MEMBER JONES: On the odor issues, I think  
7   everybody understands that when you shred an organic  
8   material and put it in a windmill and let it start to  
9   go through its process, it will emit an odor. Is this  
10   study going to deal with -- on the odor side -- is it  
11   going to deal with the feedstock of that material?  
12   What is the feedstock of material going into this  
13   composting facility or into feedstock facilities, and  
14   then at what level does the odor become a nuisance?  
15   Because, you know, there is going to be odor. That is  
16   part of the process. We cannot come up with in vessel  
17   recommendations out of here, you know, as a result of  
18   this thing. How are we going to deal with  
19   acknowledging what a -- what level is going to be  
20   assigned as far as the natural process?

21                  MR. ANSO: You're totally correct. In the  
22   biological functions of that degradation process, there  
23   definitely would be an odor produced depending on the  
24   operational implementations of properly managing that  
25   feedstock and the composting facility associated with  
26   the odor. In terms of the actual scope of work of



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1 development, again, these are contract concepts, and  
2 the specific scope of work has not totally been  
3 developed yet, but I would assume that that could be an  
4 integral portion of that scope of work to evaluate  
5 those potential needs as well.

6 MEMBER JONES: If you go to a redwood  
7 landfill in Marin County and look at the composting  
8 operations that they have going on, they, at a local  
9 level, have put in a series of sprayers, you know, that  
10 mask the air, do whatever they do to try to minimize  
11 the odors. That's what they needed locally. Is the  
12 outcome of an item like this going to -- could it  
13 potentially say that all these facilities need to have  
14 this? Because it's important, I think, that we know  
15 what that threshold odor level is before we start  
16 talking about remediation that may not be necessary  
17 depending upon where it's sited.

18 MR. ANSO: And, indeed, that threshold odor  
19 level may be different for different people, and that's  
20 why the nuisance aspect for odors is extremely  
21 difficult to identify, and that's why over the years  
22 the regulations have changed from an odor panel, quote.  
23 Now we're in the next stage of developing the best the  
24 management practices to reduce odors and make those  
25 recommendations under SB-675 back to the legislative  
26 requirements.

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1                   MEMBER JONES:   Okay.

2                   Is Howard still here?

3                   MR. LEVENSON:   I really wasn't talking.

4                   MEMBER JONES:   I just didn't see you.

5                   On the health and safety one -- you're going

6   to have to remind me, 'cause I don't remember when it

7   was.  It was last year, early in the year when we had

8   an issue coming up about composting, and there were a

9   couple doctors out in the -- or one guy out in the

10  audience, a professional that talked about aspergillus

11  and how we needed to -- how we couldn't go forward with

12  our reg package because of the threat of aspergillus.

13  I don't remember who it was, but I remember he was the

14  only expert on that side of the issue.

15                  MR. LEVENSON:   I do remember several years

16  ago, one of the -- I believe it was one of the doctors

17  from -- one of the members of CURE.

18                  MEMBER JONES:   Is it Rankovich, yeah.

19                  MR. LEVENSON:   I think that was more than a

20  year ago.

21                  MEMBER JONES:   Was it more than a year ago?

22                  MR. LEVENSON:   I think it was when the regs

23  were last revised in '95.

24                  MEMBER JONES:   Maybe I happen to have been

25  audience.  I don't know.

26                  MR. LEVENSON:   Karin thinks it was the first

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1 time in '93.

2 MEMBER JONES: But those are the issues.

3 It's similar to ozone depletion. You've got 50 on one  
4 side, and you've got 50 on the other side; right? What  
5 you're trying to get here is some clear scientific  
6 backup to help us with our job.

7 MR. LEVENSON: Right. At this time there's  
8 no -- as Diane's mentioned, we have a lot of concerns  
9 about the conclusions drawn in the draft EHS report,  
10 but there's not very much information coming from  
11 composting facilities that handle the kinds of  
12 materials that the fall under AB 939. Nor are there --  
13 certainly there's no standards for what to do if there  
14 even is an emission of bioaerosols. So we're concerned  
15 about operational design requirements being put in  
16 place that have no scientific underpinning.

17 MEMBER JONES: Understood. I believe that.

18 I have a question on Number 2 from the Eaton  
19 team.

20 MEMBER EATON: It hasn't been recommended.

21 MEMBER JONES: That doesn't mean anything.  
22 How often do we go with the recommendation?

23 MEMBER EATON: Everyone seems to be using  
24 that as an example these days, so I just figured I'd  
25 throw it in.

26 MEMBER JONES: I just want to ask a

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1 question. This thing talks about going with theme  
2 parks and stuff like that. Does it -- would it insist  
3 that they use the finished product within their  
4 facilities, because when -- you know, when we had  
5 Amador County here -- or not Amador, but when we had  
6 the other county, one of the ones that we fined, and I  
7 brought up the -- used to be my neighbor in  
8 Tuolumne County -- and we brought up the idea that the  
9 that the federal government wanted to do that in vessel  
10 composting at their facility, and the first question  
11 that I asked was, would they use it, and they said, no,  
12 and I said --

13 CHAIRMAN PENNINGTON: Yosemite.

14 MEMBER JONES: -- then forget it. Yeah,  
15 Yosemite. I said, forget it. I don't want to bid the  
16 project. If this -- you know, if this were to go to  
17 parks and stuff, but as part of the program, they not  
18 only did it, they used it, the finished product, then  
19 it closes the loop.

20 MEMBER EATON: Sure. That's one of the  
21 potential uses, but then you have some theme parks that  
22 have nothing but astro turf.

23 MEMBER JONES: Then we won't give them  
24 money.

25 MEMBER EATON: Right. But, you know, this  
26 would be for kinds of places like the new Lego World



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1 that's coming up, Sea World, all those kinds of places  
2 where there are, you know, thousands of people moving  
3 through and the food products, but, yes, that would be  
4 one of the potentials, and I guess that would be  
5 developed in the criteria for some of it. I mean,  
6 you've obviously got to close the loop.

7 MEMBER JONES: Yeah. I don't have a problem  
8 with it if, you know, we make sure that they use it,  
9 because then we've got an incentive, they've got an  
10 incentive.

11 MR. FRAZEE: Mr. Chairman, not to beat a  
12 dead horse here, but I've just been given information  
13 on the bioaerosol issue that U.S. EPA has already  
14 completed a study in that regard, and I wonder if we're  
15 tying into that.

16 MR. LEVENSON: I'm unaware of any study by  
17 U.S. EPA. I'm aware of a review panel convened by U.S.  
18 EPA about three years ago, I believe -- four years ago,  
19 under the auspices of U.S.D.A., U.S. EPA, National  
20 Institutes of Occupational Safety and Health, and a  
21 number of other experts, and they conducted an  
22 extensive review that was published in one of the  
23 compost science and utilization research journals. The  
24 DHS staff were unaware of that report, and we provide  
25 that to them. It did draw conclusions on the scant  
26 amount of information that was available, conclusions

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1 such as there was no evidence of worker health risks  
2 associated with -- or at composting facilities, and it  
3 did call for longer term research to establish kind of  
4 what the emissions were from composting facilities, and  
5 then to look at if there's any health risks associated  
6 with that. So that may be what --

7 MEMBER FRAZEE: That may be what the  
8 reference was.

9 CHAIRMAN PENNINGTON: Okay. Thank you.  
10 Would you explain a little bit more to me,  
11 Howard, the commercial food BMP partner's program, what  
12 you envision there?

13 MR. LEVENSON: Sure. The greening team, in  
14 constructing its original target for that, looked at  
15 the generation data that we have in house on food  
16 scraps and tried to ascertain which industry sectors  
17 were generating the largest amounts of food scraps, and  
18 those were areas such as the grocery sector, restaurant  
19 providers, food service providers, food service  
20 providers in a range of different settings, and then  
21 institutional prisons and other kind of entities. So  
22 the target was constructed with the idea of working  
23 with those entities and their trade associations, or in  
24 this case of the institutions, with the overseeing  
25 agencies, to develop best management practices related  
26 to reducing the waste of food, and those would vary

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1 from sector to sector. It could be more attention to  
2 avoiding prepackaging waste in a grocery  
3 predistribution plant or processing plant, but working  
4 through those industry associations to develop those  
5 BMP's and disseminate that out to the members of those  
6 associations. That's the basic gist of it.

7 CHAIRMAN PENNINGTON: Okay. Thank you.

8 How would you all like to do this? You want  
9 to vote on each subcategory? We can kind of go through  
10 it that way. Do you want to take each individual one?

11 I'd be prepared to make a motion on a  
12 subcategory here.

13 MEMBER FRAZEE: I think that's appropriate.

14 MEMBER EATON: Well, first, I think there's  
15 an issue of IWMA versus RMDZ in separating those two as  
16 categories, and I think first and foremost that's where  
17 you've got to begin. Because, first off, the funding  
18 and the urgency of the funding are different, and I  
19 think from a baseline aspect.

20 Second and foremost, I think that you,  
21 Mr. Chair, and myself who went and asked for this  
22 money, we're going to be, when we go back next year,  
23 asked how are we going to spend it, how did we spend  
24 it. If we spend it all today on these projects without  
25 knowing how circumstances may change or could change or  
26 priorities change, then I think we are going down a

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1 path where we are going to get continued criticism and  
2 continued badgering and probably will not get any  
3 additional funds. So I think first and foremost, I  
4 would just urge caution that rather than we encumber  
5 and spend all that money in the RMDZ that we think  
6 about what are the essential projects that we need to  
7 get today and see where we may need that money if some  
8 of the other BCP's or other things don't come through  
9 over the course of the three years. I think our  
10 priorities will change as we move through. So I think  
11 that's Point 1.

12 The IWMA is obviously a different situation.  
13 We can kind of go through that as you desire.

14 MS. FISH: In this category, you only have  
15 six and two in the IWMA. There is -- there isn't an  
16 executive staff recommendation to fund those out of  
17 IWMA, so at this time we could just look at those two  
18 and ask if there is a counter-recommendation that you  
19 would like to fund either of those two out of the IWMA,  
20 and then go to the RMDZ before we've moved on to  
21 construction and demolition.

22 Would that be helpful?

23 MEMBER JONES: Mr. Chairman.

24 CHAIRMAN PENNINGTON: Yeah.

25 MR. CHANDLER: One thing I would want to  
26 add -- I'm sorry.



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1                   MEMBER JONES: Go ahead, Ralph.

2                   MR. CHANDLER: In Howard's presentation, he  
3 did make the point that Number 43 and Number 46 -- I  
4 made -- correct me if I'm wrong -- 43 and 46 were timed  
5 critical, and I see those are RMDZ requested, so maybe  
6 what I need to hear if we want to delay the RMDZ is,  
7 under what timetable would you like to take up the RMDZ  
8 activities if we are going to go down that path of  
9 doing this on a longer time frame?

10                  MR. LEVENSON: I'd also like to note that  
11 Number 6 under the IWMA would not require funding if  
12 you approve funding for Number 46.

13                  So that does depend on a resolution to that.

14                  MEMBER JONES: Mr. Chairman.

15                  CHAIRMAN PENNINGTON: Yes.

16                  MEMBER JONES: I think that Mr. Eaton is  
17 right. I think what he's saying is go cautiously. I'm  
18 hoping that what I heard was like, let's do what we  
19 think we've got to do now, and then hold some money.  
20 Who cares if we've got 2- or \$3 million left in  
21 abeyance. Let's look at some things and take a vote on  
22 it, and, you know, we can continue to discuss under the  
23 itmes -- I like the idea of doing them by sections, you  
24 know, and if we think we're spending too much money in  
25 one area, then we need to hold back or have a no vote,  
26 or whatever, but, you know, I think that if we did 46

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1 for 550,000 -- I think that one's important, and it's a  
2 continued program -- I think that the partnership end  
3 uses on agricultural for composting is an important one  
4 because obviously we've got to -- it's --

5 CHAIRMAN PENNINGTON: 45.

6 MEMBER JONES: It's 45. I'm sorry. Because  
7 I think that we have to move those partnerships to get  
8 markets for our stuff. I'm not too excited about  
9 moving 125 -- or the 44 right now. I think that can  
10 feed in, or if -- wherever Howard is -- if it is more  
11 important to do 44 first to ensure that 45 is  
12 successful, I need to know that, because I think those  
13 are linked, and I think you have the same customer, or  
14 maybe not.

15 MR. LEVENSON: If we, in talking with  
16 Bill Orr the team leader on the greening team, we would  
17 view -- the grass cycling landscape management  
18 certainly is critical to get going right away, meaning  
19 within the next two months, and the partnerships for  
20 agriculture and other end uses is another critical  
21 component, which we'd like to get going, but we do have  
22 time to go through an RFP process.

23 MEMBER JONES: But I guess what I'm saying  
24 is, 46, the grass cycling campaign, I think needs to  
25 happen. On 45, which is your partnership with the ag  
26 and other end uses, or 44, which is the organic

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1 material feedstock and product quality issues. One  
2 is -- one kind of insures that we will be able to  
3 deliver a good product to the agricultural community;  
4 right?

5 MR. LEVENSON: Correct.

6 MEMBER JONES: So would 44 be more important  
7 than 45 as a first step to build that partnership with  
8 the ag community?

9 MR. LEVENSON: Not in our opinion, because  
10 there is a lot of good product being developed.

11 MEMBER JONES: Right.

12 MR. LEVENSON: 45, in our view, is critical  
13 to create the demand pull in terms of various end  
14 users. 44, which I know you spoke to at an earlier  
15 Board, or maybe it was even a committee meeting at that  
16 point, on feedstock quality issues, we view as part of  
17 the lengths on the system, but actually in reference to  
18 some of yesterday's discussion about -- from the  
19 unions, there are some components of that contract  
20 which conceivably could be at least started in house to  
21 get some of that information. That's more of a  
22 resource issue, but I think if we had to pick one, we  
23 would go with 45 as the more immediate tangible  
24 products related to compost and mulch use.

25 MEMBER JONES: Okay.

26 CHAIRMAN PENNINGTON: You also must remember

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1    that there are savings in the other categories, too.  I  
2    mean, if we feel we have to do four items in this  
3    subcategory, then we're still going to have two more  
4    categories that we can have some savings -- three more  
5    categories that we can have some savings out of.

6               MEMBER JONES:  Yeah, I'm just -- you know,  
7    in that category, now, I'd also want to include  
8    Number 40 if we included end use in it -- not 40,  
9    Number 2, because I think that one's important, and I  
10   think you guys already said that end use could be part  
11   of that; right?

12              MEMBER EATON:  Probably should be hooked  
13   with 14 then if you do that, because they both come out  
14   of --

15              MR. LEVENSON:  I would like to make the  
16   point that we recommended Number 14 -- well, we  
17   developed Number 14 and then recommend it because it is  
18   directly linked to the performance plan, and that was  
19   the reason why there was no recommendation from staff  
20   regarding Number 2, because it didn't speak directly to  
21   the performance plan.  It would also be in addition to  
22   the performance plan in terms of tasks to be  
23   implemented.

24              MEMBER JONES:  Okay.

25              But the way I read 14, we're looking at, you  
26   know, we may look at the prisons and some people like



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1 that, which hopefully would work. The same issue comes  
2 up, though, would they be committed to using the  
3 product they developed on their grounds? You know.

4 MR. LEVENSON: Right.

5 MEMBER JONES: I mean, if they wouldn't, to  
6 me it doesn't make any sense. You know, if they're not  
7 going to use what we're spending money to help them  
8 develop, then it doesn't make any sense why we should  
9 do it.

10 CHAIRMAN PENNINGTON: On 14, under those  
11 guidelines, 14 wouldn't work because there's a lot of  
12 restaurants that's not going to be able to use the  
13 product.

14 MEMBER JONES: Right. Do we have a -- I  
15 know we have a need, but do we have a request? Do we  
16 have people that are interested in seeing us doing this  
17 besides our staff, on the commercial side?

18 MR. LEVENSON: In the commercial -- the food  
19 scraps? That initially was an idea formulated by the  
20 greening team, and we have since gone out done profile  
21 work with the various sectors, and particularly on the  
22 grocery side, there is definite interest in working  
23 this area, and also on the institutional side through  
24 DIPLA they've been working with some of the  
25 institutions and there is an interest in getting a  
26 better guidance and development of different kinds of

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1 practices. So we do have external client, or customer  
2 interest in this.

3 Restaurants, I would agree with  
4 Mr. Pennington, that's a much more difficult sector,  
5 and we're not really sure whether that's going to be  
6 amenable to this.

7 MEMBER JONES: Yeah, it's not going to be  
8 the restaurant that's going to want to do the program.  
9 It's going to be the person that's providing the  
10 service to them. That's why I'm saying, you know, we  
11 keep -- I don't want to spend a bunch of money on  
12 things where we don't have the people that want to  
13 listen to our message.

14 MR. LEVENSON: Well, again, these would come  
15 back to you for approval of the formal or the detailed  
16 scopes of work, so at that point we'd be able to come  
17 back and say, yes, we do have an agreement -- potential  
18 agreement with such and such a sector that lays out the  
19 following activities. We were unable to come to any  
20 productive agreement with Sector X, and, therefore,  
21 we're not recommending anything in that area. We do  
22 need to do some more work on those once we find out  
23 whether there are funds for them.

24 CHAIRMAN PENNINGTON: I'd be willing to go  
25 for 43, 44, 45, and 46. That saves us 80,000 there. I  
26 think we could probably get some more savings down the

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1 road. These seem to be the four main thrusts of what  
2 they're trying to do in organics. But to let them work  
3 on 14 -- 6 is out, of course, but 14 and 2 and develop  
4 that a little bit more for us so we have a clear  
5 understanding of where we're going there.

6 In fact, I'll make that motion that we  
7 approve Concepts 43, 44, 45, and 46.

8 MR. FRAZEE: I'll second.

9 MS. FISH: And this is out of the RMDZ fund?

10 CHAIRMAN PENNINGTON: Correct.

11 Okay. Mr. Frazee seconds. Any further  
12 discussion? If not, will the secretary call the roll.

13 THE SECRETARY: Board Member Eaton.

14 MEMBER EATON: No.

15 THE SECRETARY: Board Member Frazee.

16 MR. FRAZEE: Aye.

17 THE SECRETARY: Jones.

18 MEMBER JONES: Aye.

19 THE SECRETARY: Chairman Pennington.

20 CHAIRMAN PENNINGTON: Aye. Motion fails.

21 Somebody like to offer --

22 MR. FRAZEE: Let me just offer comment,  
23 Mr. Chairman. I think that, you know, for my part, I  
24 would be willing to authorize the entire recommended  
25 group, keep in mind that time is of the essence on  
26 these things. The fact that they're going to come back

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1 to us for approval, and I think we can be criticized  
2 just as much by the legislature for their appropriation  
3 of money and then us not utilizing it as perhaps not  
4 utilizing it wisely. I think the criticism can stand  
5 either way, but I think the teams that have put these  
6 together have done a good job, and the fact that we're  
7 going to have a second shot at each one of these on an  
8 individual basis to review it, that's good enough for  
9 me, and I would prefer to see the approval of the  
10 entire recommended group.

11 MEMBER EATON: I just have a hard time  
12 understanding the 550,000 for grass cycling at this  
13 present time. I just don't think that's that the kind  
14 of money -- that's an awful high amount of money that  
15 is roughly out of the 4 million, you know, a great  
16 percentage for that, and under the SB 1066 directives,  
17 I just remain convinced. I'm not saying I'm closed off  
18 and won't ever, but I just think it's a lot, a lot of  
19 money without anymore specifics than I have.

20 MS. TRGOVICH: Member Pennington, and other  
21 members, perhaps one alternative to offer is similar to  
22 the earlier direction to staff to go back and work on  
23 14 and 2. Perhaps we could from the grass cycling  
24 concept break out the completion of the video so we  
25 have a final product, because remember when we were  
26 before you in May, we in knew that those 97/98 funds



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1 would not provide a final product. So break the monies  
2 out necessary to create the final product and then do  
3 some more work with each of your offices discussing  
4 what the approach behind the campaign would be and how  
5 we would proceed. My concern is having a partially  
6 completed project that has been committed with prior  
7 year funds that's of no value to any of us.

8 CHAIRMAN PENNINGTON: What would that be?  
9 How much would the completion of the video work -- what  
10 would that cost be.

11 MS. TRGOVICH: That's in something we would  
12 need to look at. We'd need to go back and we'd need to  
13 pull the numbers together. We'd need to look at the  
14 sheet that compiled all the numbers for each of the  
15 components together, and I would need to come back to  
16 you on that.

17 CHAIRMAN PENNINGTON: Okay.

18 MR. LEVENSON: I would estimate that in the  
19 50- to \$100,000 range, depending on the amount of  
20 materials, but I'd be happy to discuss the campaigns  
21 more with Mr. Eaton or other Board members, but I do  
22 want to reiterate the timing issue here, that if we are  
23 going to have an effective outreach campaign with the  
24 various regions, they have already indicated to us the  
25 need for them to know what's forthcoming so that they  
26 can adjust their budgets and start planning activities,

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1 so we are on a short time fuse for doing that, should  
2 we go forward with it.

3 CHAIRMAN PENNINGTON: Okay. Well, let me  
4 offer another --

5 MEMBER JONES: Can I just make a comment on  
6 the grass cycling thing? I understand Mr. Eaton's  
7 concern on the money. All of the programs that we're  
8 doing here under market development, and there are  
9 quite a few of them, deal with insuring that we end up  
10 with an end product and then we work towards finding  
11 markets for those end products. This is a project  
12 where the market is the actual person that owns the  
13 home that gets the grass cycling education, and instead  
14 of going out and buying compost, he's doing it on his  
15 lawn, and I know that, you know, it's a source  
16 reduction there, but the request that came from  
17 Southern California to me was, they were spending \$96 a  
18 ton in picking up grass, driving it to a facility,  
19 composting it, and then that person had to go out and  
20 try to find markets for it, and what they said was,  
21 "We've got to encourage our people. We've got to do  
22 the campaigns and get people to understand that there  
23 is a value in mulching that material, and it stays on  
24 their lawn so that they don't have to go out and buy  
25 fertilizer. They don't have to spend all their time on  
26 water and things like that." So we couldn't really do

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1 that, and we tied it to a pollution prevention plan and  
2 incorporated more messages to try to justify what was a  
3 very real request, and unfortunately, it was a huge  
4 program that got very diluted, and that's my biggest  
5 concern was the dilution factor, but it got a message  
6 out, and it let people know that -- because we  
7 cannot -- I don't think we can kid ourselves that --

8 MEMBER EATON: My point exactly is, the two  
9 counties you mentioned, Orange and L.A. County, if you  
10 had followed the debate on the blowers that blow the  
11 grass around, you would realize that not once in here  
12 have you gotten to the people who really can make a  
13 difference, and that's the minority, the Hispanic  
14 people who cut the lawn, and that's my problem, and  
15 none of that is in here, and I don't want to hear about  
16 scope of work, because I know how that works. That's  
17 toothpaste out of the tube when you come back with  
18 that. It starts here before you even get there. None  
19 of that's even considered, and I disagree about moving  
20 this stuff around. They've never gone after the people  
21 who really need to be educated on this, and that's the  
22 people who cut the lawns for the rich people down there  
23 pay for.

24 MR. LEVENSON: If I could just comment on  
25 that, Mr. Eaton. Although, in talking with the  
26 L.A./Orange County campaign as it's currently

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1 constructed, that was one of their primary issues  
2 identified was to have, at least, bilingual materials  
3 and to focus on those crews that are going out and  
4 going, you know, that are for hire on different  
5 areas --

6 CHAIRMAN PENNINGTON: Well, let's do this --

7 MR. LEVENSON: -- on this. So I think --

8 CHAIRMAN PENNINGTON: Wait.

9 MEMBER JONES: Just to clear that up, the  
10 task force included three Hispanic -- or two Hispanic  
11 lawnmower associations. They were part of the task  
12 force to put the L.A. grass cycling project together,  
13 and they were disseminating that material back to their  
14 membership, because we knew that while there is a huge  
15 population down there, they either have no lawns or  
16 they've got enough money to pay a gardener. How did we  
17 get to them as well as get to -- because there are  
18 other parts of that area that don't. We had  
19 actually -- L.A. City had identified three areas  
20 exactly that way, but they invited those people to --  
21 they were part of that working group to make sure that  
22 information got back, because we knew that was where  
23 the issue was. As it turned out, they were the ones  
24 that were buying commercial mulching lawn mowers for  
25 their project, 'cause they didn't want to deal hauling  
26 the grass to, unfortunately not a composting facility,



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1 but one of the sites. I'm not sure they did a great  
2 job of getting all those people there, but I think the  
3 item probably needs to identify that we have to  
4 increase that, but they were part of that task force,  
5 seriously. They were there from day one.

6 CHAIRMAN PENNINGTON: Let me try this. I  
7 want to move that we adopt Item 43, 44 and 45 and that  
8 as to 46, because it's time sensitive, that we bring  
9 back to us next week the cost of finishing the video  
10 and expand on what you want to do, but bring that back  
11 to us so that we can get this video at least completed.

12 MS. FISH: Or Chairman, if I may, an  
13 alternative might be to allow the 100,000. They  
14 indicated 50- or 100,000, because this year, remember,  
15 different from any other year, we're actually going to  
16 bring the scopes of work back to the Board. So if we  
17 were allowed 100,000, the scope of work would then come  
18 back and identify the additional money. We have more  
19 time to reencumber any savings, so that would allow  
20 them to get a head start on the project itself.

21 CHAIRMAN PENNINGTON: We're only talking  
22 about a week here. I think they can come back and --

23 MEMBER EATON: I would agree with Ms. Fish's  
24 recommendation.

25 CHAIRMAN PENNINGTON: I'll tell you what,  
26 why don't you make the motion then?

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1                   MEMBER EATON: Happy to.

2                   I would recommend the motion include Item

3   Number 43, 44, 45, and that Item 46 be allocated

4   \$100,000 until such time as they can come back with a

5   much more defined contract concept for approval in

6   early November.

7                   MR. LEVENSON: Could I seek a little

8   clarification on that? \$100,000 would be for the --

9                   MEMBER EATON: Just to finish the video.

10                  MR. LEVENSON: Completion the video.

11                  MEMBER EATON: Or \$100,000 or finish the

12   video. Whichever is less.

13                  MR. LEVENSON: Finish the video and other

14   materials, and we'd be coming back to you with the

15   scope of work that --

16                  MEMBER EATON: What are other materials?

17                  MR. LEVENSON: The development of PSA's and

18   updating the brochure and so on.

19                  MEMBER EATON: Sure.

20                  MR. LEVENSON: And then that would come back

21   to you with the scope of work subject to your approval

22   in November. With respect to the remainder -- I just

23   want to make sure I understood where you're headed --

24   we would come back to you next week with a more

25   detailed explanation --

26                  MEMBER EATON: No, November for the other

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1 450,000.

2 MR. LEVENSON: There would be no point in  
3 bringing it back at that time because we wouldn't get  
4 anything done.

5 MEMBER EATON: You haven't even finished the  
6 video, and you haven't done the PSA. You haven't done  
7 anything.

8 MR. LEVENSON: That's correct.

9 MEMBER EATON: What can't you do in a month?

10 MS. TRGOVICH: I think that the issue that  
11 Howard's trying to get at is to use the video and  
12 information materials effectively. The time to launch  
13 the campaigns is spring, as Member Jones knows, and  
14 everyone who participated on the task force, and so I  
15 think what they're launching for, or trying to get to  
16 is that spring campaign, because that's when your  
17 greatest amount of grass is going to be cut.

18 MEMBER EATON: I understand that, but we're  
19 talking about 450,000, and I don't know how it's going  
20 to be spent. That's what I want to find out, and I  
21 don't have how that's being spent, and you can't  
22 explain to me today how it's going to be spent.

23 MR. LEVENSON: But that's what I'm  
24 suggesting, we come back with more details next week.  
25 Mr. Eaton, the only problem -- the biggest problem is  
26 that if we come back in November with that explanation

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1 and then you approve the concept, it will take us at  
2 least another month or so to come back with the scope  
3 of work and then -- probably two months to come back  
4 with the scope of work, and so by the time we'd be  
5 actually implementing any agreement or contract, it's  
6 really going to be January or February. That's when  
7 the activities already have to start on the part of the  
8 local jurisdictions.

9 MEMBER EATON: We're going to be in  
10 Santa Barbara. I'll split the difference. We'll go in  
11 October.

12 CHAIRMAN PENNINGTON: Okay.

13 MEMBER JONES: Mr. Chairman.

14 CHAIRMAN PENNINGTON: Yes, Mr. Jones.

15 MEMBER JONES: I don't know if anybody  
16 seconded, did they?

17 CHAIRMAN PENNINGTON: No, they didn't.

18 MEMBER JONES: Let me just ask a question of  
19 Mr. Eaton.

20 On the grass cycling it's -- on the grass  
21 cycling issue that the video's one piece, then how  
22 these monies get allocated is another piece, and I  
23 understand --

24 MEMBER EATON: And I know there's a  
25 priority. I just -- you know, I'm sort of just  
26 baseline hard to understand how we're going to spend



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1    this kind of money out of \$4 million.  You get BCP's  
2    and, you know, all of a sudden we're going to be  
3    running around for other money.  I just don't see the  
4    money.  I just don't see that kind of money, and so  
5    maybe I have to do some education of myself on it.  I  
6    just don't see that kind of money and being able to  
7    justify it for the kinds of things that we're doing,  
8    for videos and all the other kinds of stuff, and it's  
9    not laid out here.  I have to ask questions to first  
10   find out why it's being done the way it is.  That to me  
11   doesn't seem to be a comfortable way for me to cast my  
12   vote.

13               MEMBER JONES:  I'm not questioning --

14               MEMBER EATON:  And if you guys want to go  
15   and do the Board member next week and try to shove it  
16   down my throat and wait, I'm happy to do that, but I'm  
17   telling you right now, what I have I figure I got to do  
18   what I need to do for the taxpayer.

19               MEMBER JONES:  Well, it's good that one of  
20   us is going to deal --

21               CHAIRMAN PENNINGTON:  Absolutely.

22               MEMBER JONES:  -- with the taxpayers.  We're  
23   having the discussion -- we all got notified there was  
24   going to be another Board member.  I think the fact  
25   that we're having the discussion in trying to get the  
26   thing resolved should give you a comfort level.

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1                   MEMBER EATON: I'll have a comfort level  
2   once I get the information.

3                   MEMBER JONES: And all I want to ask is,  
4   when I asked on the 550,000 how much of it would be --  
5   I said grants. It was the wrong word -- local money  
6   the answer was about 400 --

7                   MR. LEVENSON: 80 to 90 percent of it.

8                   MEMBER JONES: Yeah, 80 to 90 percent.

9                   MEMBER EATON: Don't you think that should  
10   have been in this contract concept, that information?

11                  MEMBER JONES: That's why I asked the  
12   question.

13                  MEMBER EATON: Right.

14                  MEMBER JONES: 'Cause I didn't see it.

15                  MEMBER EATON: And maybe I'm missing it.

16                  MEMBER JONES: No. I had to ask the  
17   question, because I was confused, too, but the answer I  
18   got was 90 percent. So \$450,000 about.

19                  What I would like to know is, if we -- and  
20   I'm trying to get some resolutions so we don't have to  
21   wait till next week --

22                  MEMBER EATON: Why don't we spend \$1 million  
23   from the RMDZ fund and then commit in another three  
24   months will spend another million dollars and then  
25   we'll see what we need to do with priorities for the  
26   other \$2 million that we have up to three years to

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1     don't need another -- maybe we do need one more  
2     video -- on how to cut your lawn without a bag, but  
3     what we have to do is get the message out. The 450,000  
4     that would be allocated to that was, in my mind, a way  
5     to get that message out, not the distribution of videos  
6     as much as events that can do it, similar to my  
7     favorite project, which is linking this Board to the  
8     American Recycles Day events.

9                 MEMBER EATON: You don't want to go there.

10                MEMBER JONES: Well, you're just mad you  
11     didn't get to carry the flag. I screwed that up, but  
12     they -- you know --

13                MR. LEVENSON: We're in a little bit of a  
14     catch 22, because I would review the video as a tool,  
15     one of many tools, but the tools at the local  
16     jurisdictions --

17                MEMBER EATON: But you're going to a video,  
18     and you're going to go into Southern California where  
19     you really can't put the video on the media market.

20                MR. LEVENSON: The video isn't for  
21     necessarily the media market unless it's a PSA or a  
22     video news release. The video is for distribution  
23     through Blockbuster and the other kinds of video  
24     stores.

25                MEMBER EATON: Have we done those in the  
26     past?



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1 MR. LEVENSON: We've done a little of that.

2 MEMBER EATON: Okay. And what have the  
3 results been? What kind of overview have we had to  
4 find out how many people have taken them off the shelf?  
5 To see if it's really an effective way for  
6 distribution.

7 MR. LEVENSON: We've just actually talked to  
8 the video stores about that, and there is an interest.  
9 We don't have any data on that.

10 MEMBER EATON: But you've just got done  
11 saying, "We've done it in the past."

12 MR. LEVENSON: I meant that we had talked to  
13 video stores in the past. I corrected myself.

14 But the video is just one tool that would be  
15 available to the local jurisdictions. The issue of,  
16 for example, blades or whatever, that is a possibility,  
17 but that has to be decided upon by the participating  
18 jurisdictions, and unless we know that we're going to  
19 be able to help fund their activities, we don't have  
20 any carrot for them to start planning those activities.  
21 So we're in a little bit of a back door. We can't ask  
22 them to plan those out if we don't know that there's  
23 funds potentially available.

24 CHAIRMAN PENNINGTON: Well, the other way  
25 that we can do this, Mr. Eaton, is if you want to do  
26 \$1 million a year, then we'd need to go through the

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1 entire thing here and pick out our million dollars.

2 MEMBER EATON: I think what we do is we  
3 allocate up to a million dollars, or it could be, you  
4 know, 1 million 2, depending upon the project, and then  
5 see and, you know --

6 CHAIRMAN PENNINGTON: But we can't -- we  
7 can't do that by just looking at the --

8 MEMBER EATON: I Agree. You have to look at  
9 all of them. I agree 100 percent with you, and you  
10 look and say, "Okay, which one of those are absolutely  
11 essential? Which ones need to be scaled back?  
12 Perhaps, which ones should be increased?"

13 CHAIRMAN PENNINGTON: But we've got to  
14 stay -- you want to stay within \$1 million, or  
15 thereabouts.

16 MEMBER EATON: 1.5. Somewhere in there. I  
17 think it's called a prudent reserve.

18 CHAIRMAN PENNINGTON: Well, I certainly  
19 believe in prudent reserve.

20 MEMBER EATON: And the question is what  
21 would have happened had we not gotten the money that we  
22 had to go fight for? I think part of the reason why is  
23 because I think there's a certain amount of integrity  
24 in the word that we gave to those on the budget  
25 subcommittee that we would use the money wisely, and I  
26 guess I'm not convinced that going there and saying a

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1 video that might get ready at Blockbuster or what have  
2 you -- I mean, I'd rather take the money and say here's  
3 what we've done. We've gone, and we're going to do  
4 grass cycling, and in order to reach the population,  
5 we're going to spend \$100,000 and we're going to go to  
6 on radio and dat-da-da-da and get to the information.

7 CHAIRMAN PENNINGTON: How much have we spent  
8 on this -- preparing for this video? How much have we  
9 spent on it so far?

10 MR. LEVENSON: The video, so far to date,  
11 the Board's allocated 45,700. Again, I would say the  
12 only reason that's come forward earlier is just the  
13 simple process -- the process and the time needed to  
14 create a video. It's always been viewed as one tool  
15 among many, and, again, I would reiterate that the  
16 actual activities that would be carried out, we're  
17 going to have to work with the regional group in order  
18 to delineate those in more detail. We have ideas, but  
19 it's kind of -- they're a call, 'cause the needs are  
20 going to vary. They're call coming in and developing  
21 an agreement subject to your approval.

22 CHAIRMAN PENNINGTON: Well, you know, I  
23 think, Mr. Eaton, that it's sort of the same line as  
24 Mr. Frazee, that we don't want to go to the legislature  
25 and say we blew off \$40,000 on a project and never  
26 completed it either, because all of a sudden we've got

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1 a new member that didn't like it, we just blew off this  
2 \$40,000. We started down this path. We need to at  
3 least complete what we have started. I'm not excited  
4 about the video either, frankly.

5 MEMBER EATON: And I agreed that we would do  
6 that. Didn't I say up to \$100,000 and that's where I  
7 first went, and then we started getting nickled and  
8 dimed about, well, now November's too late, and that  
9 kind of stuff. I was already there. I made the  
10 motion.

11 CHAIRMAN PENNINGTON: Well, except that you  
12 made the motion that said you wanted to put it off to  
13 November, and we can't put it off until November.

14 MEMBER EATON: And then I reiterated that  
15 I'd be willing to split the difference and go in  
16 October, that we wouldn't have to have this discussion  
17 down in Santa Barbara.

18 CHAIRMAN PENNINGTON: Why can't we discuss  
19 this in Santa Barbara?

20 MEMBER JONES: Would that be the remainder?

21 MEMBER EATON: Not the remainder. The  
22 450,000.

23 MEMBER JONES: What's the other discussion  
24 of 100,000.

25 MEMBER EATON: What's he's -- the 100,000 of  
26 what he wanted to come back with in terms of what the



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1 cost would be.

2 MR. CHANDLER: Howard, let me ask this  
3 question. Is it even worth finishing this video if  
4 it's only going to just then be a video isolated and  
5 unrelated to any other part of this campaign? I  
6 thought the video was a component of working with the  
7 local jurisdictions. If there's no interest to look at  
8 the larger component here with this concept, which is  
9 what the other 450,000, I thought, was going towards,  
10 are you recommending that we simply produce this video  
11 and then leave it at that?

12 MR. LEVENSON: I would recommend we still  
13 pursue completion of the video, because it's still  
14 something that we could use statewide. We just would  
15 not have any real concerted coordinated campaign that  
16 encompasses a variety of activities, but that video, we  
17 can be at least distributing and making available and  
18 trying to do some PSA's and the like off of that. And  
19 that was the original prior to any of the RMDZ money  
20 being contemplated. That was -- the original contract  
21 concept was to develop a video, update the brochure,  
22 develop other materials if it is, you know, deemed  
23 necessary for kind of generic statewide distribution.

24 MEMBER EATON: And how were you going to pay  
25 for it if the \$4 million didn't come through?

26 MR. LEVENSON: That was proposed for 89 IWMA  
335

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1 funding. It was originally proposed for 109 -- the  
2 number's changed a little bit, but roughly \$95,000 out  
3 of 98/99 IWMA fund. We then took out about half of  
4 that with 97/98 year-end funds from the IWMA, so it was  
5 originally proposed for IWMA. It was only when the  
6 RMDZ monies became -- looked like they were going to be  
7 available that the concept was expanded, and the  
8 only -- the primary difference between the original  
9 Concept Number 6 and Number 46 is the addition of the  
10 regional campaigns.

11 MEMBER JONES: Mr. Chairman.

12 CHAIRMAN PENNINGTON: Yes.

13 MEMBER JONES: I have a problem with  
14 limiting our activity today to \$1 million. I think  
15 that if you look at the RWMA fund on the left-hand  
16 column, we would have been dealing with \$1,361,000  
17 months ago had we not got the \$4 million to promote  
18 markets. That 109,000, as I remember, that was in the  
19 last one, we pared it down. It was in exchange -- I  
20 think maybe it was 800,000 and we tried to deal with 25  
21 requests out of \$800,000. You know, I think that --  
22 let's go through the list and see, and where the number  
23 comes out, the number comes out, because there's too  
24 many items here that are critical that we need to move  
25 on, and if we don't want to move on them -- you know,  
26 if we want to listen to -- I think the union identified

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1     \$2,912,000 that they didn't want to see us do out of  
2     this 5 million bucks. I don't have a problem with  
3     that. Just put it in the grants. Let's give it to  
4     people and buy equipment. Buy products that are -- I  
5     mean, buy the apparatuses that are going to take  
6     recovered products and turn it into something else.  
7     We've got to do something to move this along.

8                 CHAIRMAN PENNINGTON: In fact, you are  
9     correct that we need -- while we expand it over three  
10    years, we've got 15 months before the 2000-year  
11    deadline, so we should be spending it up front. That's  
12    the object is to try to get us to this 2000 goal.

13                MEMBER EATON: And no one disagrees with  
14    that, but spending it wisely and the most blank for the  
15    buck is the issue.

16                MEMBER JONES: Right.

17                MEMBER EATON: It's not a question of  
18    spending it up front.

19                MEMBER JONES: I agree.

20                MEMBER EATON: And you've got to separate  
21    the IWMA from the RMDZ, because one is much more time  
22    sensitive than the other. So let's go through the  
23    IWMA, which seems to be the most urgent that has to be  
24    encumbered immediately, based upon my previous  
25    question, and see if we can't work through it that way,  
26    since my original offer on the other four were

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1 rejected.

2 MEMBER JONES: Your first motion was

3 Item 43, Item 44 --

4 MEMBER EATON: It was just like Mr. --

5 MEMBER JONES: -- Item 45, and 100,000 of

6 46?

7 MEMBER EATON: Correct.

8 MEMBER JONES: 100,000 has to come back, or

9 that's it? So we're allocating 100,000 from the

10 outset --

11 MEMBER EATON: Right. And then they come

12 back with --

13 MEMBER JONES: With a scope at some point

14 when the rate is better.

15 MEMBER EATON: -- with the 450 of --

16 MEMBER JONES: I don't care about the 450.

17 What I'm saying is, we draw a line through 550 and we

18 say 100,000; right? Right now?

19 MEMBER EATON: Correct.

20 MEMBER JONES: If they want to come forward

21 with another item at some point, they come forward with

22 another item.

23 MEMBER EATON: Right.

24 MEMBER JONES: All right.

25 CHAIRMAN PENNINGTON: You want to make that

26 as a motion?



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1                   MEMBER JONES: Yeah, I'll -- it's already a  
2 motion. I'll second it.

3                   CHAIRMAN PENNINGTON: We had a motion, but  
4 we didn't have a second.

5                   MEMBER JONES: Okay. I'll second that.

6                   CHAIRMAN PENNINGTON: You've got -- it died  
7 because of a lack of a second. We can't hold it over  
8 forever.

9                   Restate the motion.

10                  MEMBER EATON: I would propose that we move  
11 under Contract Concepts Item Number 43, 44, 45 at the  
12 recommended levels, and with regard to Item Number --  
13 or Contract Concept Number 46 that that item be reduced  
14 to 550,000 to 100,000.

15                  MEMBER JONES: I'll second.

16                  CHAIRMAN PENNINGTON: All right. If there's  
17 no further discussion, will the secretary call the  
18 roll.

19                  THE SECRETARY: Board Member Eaton.

20                  MEMBER EATON: Aye.

21                  THE SECRETARY: Frazee.

22                  MEMBER FRAZEE: Aye.

23                  THE SECRETARY: Jones.

24                  MEMBER JONES: Aye.

25                  THE SECRETARY: Chairman Pennington.

26                  CHAIRMAN PENNINGTON: Aye. Motion carries.

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1     Okay.

2                     Let's move.

3                     MEMBER JONES:  Does this -- oh, look, she's

4     raising her hand.

5                     CHAIRMAN PENNINGTON:  We're going to move on

6     to the next --

7                     THE SECRETARY:  Paper break.

8                     CHAIRMAN PENNINGTON:  Oh, I'm sorry.  Let's

9     take five minutes.

10                    (Break taken.)

11                    CHAIRMAN PENNINGTON:  Okay.

12                    Let's come back here.  Let's see if we can

13    get some business done.

14                    Let's go to construction and demolition.

15                    MR. FRAZEE:  Mr. Chairman?

16                    CHAIRMAN PENNINGTON:  Yes.

17                    MEMBER FRAZEE:  Part of that original group

18    was Items 9 and 10 dealing with compost also, and those

19    are IWMA funded.  Do we want to dispose of those?

20                    CHAIRMAN PENNINGTON:  We can, sure.  If you

21    want --

22                    MEMBER FRAZEE:  Since it was part of that

23    group that was addressed earlier.

24                    CHAIRMAN PENNINGTON:  Sure.  Anything we can

25    get done, let's get done.

26                    MR. FRAZEE:  So I would move approval under

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1 facility compliance, Items 9 and 10.

2 CHAIRMAN PENNINGTON: Okay. I'll second  
3 that.

4 Any discussion on that?

5 MEMBER JONES: I have a little bit of  
6 discussion on that. I don't -- if the staff is out  
7 there -- some of the -- some of the issues that were  
8 brought up -- when contract concepts originally came up  
9 and we talked about that we needed more information so  
10 that we had an idea how we were going to coordinate  
11 those things, the problem is -- what you have to  
12 understand is, it's an issue that you guys live with  
13 every day. It's an issue that is part of your -- part  
14 of the work that you do every day. So what is normal  
15 to you and what seems to be completely obvious to you,  
16 may not -- and this goes to all the concepts -- may not  
17 be as obvious to us. Okay? So without talking to us  
18 like we're five-year olds, talk to us like we don't  
19 understand exactly what the concept is and what it's  
20 going to achieve and what the end result will be so  
21 that we have a better opportunity to spend these  
22 dollars in a way that we have a comfort level.

23 Is that a reasonable request on all of these  
24 contract concepts? Because we are at a disadvantage.  
25 We don't work with the 40 or 50 items here every day,  
26 and you guys do, and I know I need some help on an

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1 awful lot of these things to try to figure out what the  
2 value is. So, you know, I would just assume that you  
3 guys keep that in mind when you're explaining this to  
4 us. It would make life easier. It will probably get  
5 things passed or declined.

6 CHAIRMAN PENNINGTON: Did you have a  
7 question for staff?

8 MEMBER JONES: The odor issues that we  
9 talked about before, we're going to come up with  
10 standards; we're going to look at feedstocks and what  
11 their impacts are going to be on odors; we're going to  
12 look at surrounding areas and things like that;  
13 correct?

14 MS. HAPBERSBERGER: Yes. We'll be looking  
15 at the entirety of the facility.

16 MEMBER JONES: On the health and safety  
17 issues, looking as aspergillus, looking at those types  
18 of airborne matter that could cause health problems to  
19 only the workers but the people that would be in the  
20 vicinity and could be transported either by airstreams  
21 behind trucks or just airborne particulates when you  
22 turn a compost pile, you don't look at what is -- what  
23 I'm hoping for here is that you're going to look at  
24 what is the odds, or what is the likelihood that these  
25 facilities could cause health and safety problems to  
26 the people that are working there as well as the people



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1     that surround the area.

2                   MS. HAPPERSBERGER:   Correct.   It would be to  
3     measure emissions from composting facilities,  
4     specifically to airborne bioaerosols.

5                   MEMBER JONES:   At the end of that, are we  
6     going to know that a finished product, while there may  
7     be certain emissions that are on site when you're doing  
8     the project, when you're actually composting the  
9     material, do they still exist when you have a finished  
10    product?   Is the placement of a finished compost  
11    product on the land a transporter of those types of  
12    issues -- those types of concerns that we may have?

13                  MS. KIHARA:   So you're asking, does a  
14    finished product emit bioaerosols?

15                  MEMBER JONES:   Right.   Would that be part of  
16    your study?

17                  MS. KIHARA:   The main intent of the study is  
18    to look at what's coming from all areas of a composting  
19    facility for bioaerosols, and you're right, to look at  
20    worker exposure and more to look at community exposure.

21                  MEMBER JONES:   Okay.   And can we include in  
22    this concept what that material's likelihood of still  
23    having some of those emissions, if, in fact, there are  
24    any, in the finished product?   Could that be part of  
25    it?   Because that would help us on Item Number 44,  
26    which talks about the quality of these materials,

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1 right, and that's market.

2 MS. KIHARA: To do some measurements to see

3 if compost is laying there, how much bioaerosols might

4 be emitted from the composting -- give you some data --

5 MEMBER JONES: Right. If a farmer's using

6 it or things like that.

7 MS. HAPPERSBERGER: Sure. We probably could

8 do that.

9 MEMBER JONES: Good.

10 CHAIRMAN PENNINGTON: Okay?

11 MEMBER JONES: Thank you for that time. I

12 know there's a motion.

13 CHAIRMAN PENNINGTON: Any other discussion

14 on Items Number 9 and 10 under facility compliance? If

15 not, will the secretary call the roll.

16 THE SECRETARY: Board Member Eaton.

17 MEMBER EATON: Aye.

18 THE SECRETARY: Frazee.

19 MEMBER FRAZEE: Aye.

20 THE SECRETARY: Jones.

21 MEMBER JONES: Aye.

22 THE SECRETARY: Chairman Pennington.

23 CHAIRMAN PENNINGTON: Aye. Motion carries.

24 Now we'll go to construction and demolition.

25 MS. TRGOVICH: Do I want to start? I'm not

26 sure.

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1                   I'm going to give you a very brief  
2   overview -- I'm Caren Trgovich with the Waste  
3   Prevention Market Development Division -- of the  
4   construction and demolition debris action plan and then  
5   how it feeds into the contract concepts for fiscal year  
6   98/99.

7                   Just very briefly, one of the reasons why we  
8   focused on construction and demolition debris is  
9   because as we look at the entire waste stream here in  
10   the state, based upon the initial data back in 1990 and  
11   subsequent data, we found that C&D debris could  
12   comprise approximately 28 percent of the waste stream.  
13   This compares nationally to where we see approximately  
14   anywhere from 20 to 30 percent of the waste streams  
15   being comprised of construction and demolition debris.  
16   Of construction and demolition debris waste by weight,  
17   what -- you can see the components broken out in the  
18   pie chart on the screen, and you can see that there are  
19   some significant elements up there. Wood at  
20   42 percent, drywall at 26 percent, masonry at  
21   11 percent.

22                  What we as a team intended to focus on and  
23   what the action plan focuses on are several components.  
24   They focus on the wood debris, which is approximately  
25   2.8 million tons per year if you translate that out,  
26   and we focus on the broader category of inerts and you

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1 can look at your drywall, your masonry, your metals and  
2 other components as comprising that inert element.

3           The action plan as well then looked at what  
4 types of clients or customers do we want to look at to  
5 be able to deliver our message, and we're focusing on  
6 the large contractors and developers as well as on the  
7 collection end. The vision of the team in the plan is  
8 to develop and implement a plan that will identify  
9 expected outcomes to result in significant improvement  
10 in the diversion and management of C&D materials.  
11 That's what we want to achieve in the end.

12           To get there we have two goals. The first  
13 goal is to achieve the significant increase in  
14 construction and demolition debris collected on and off  
15 site and sent to an end use market. We call this our  
16 more regional goal. What we want to focus on here is  
17 how do we locally increase on site job site separation  
18 of these materials to be able to more effectively move  
19 them into the marketplace?

20           And Goal 2 is to achieve a significant  
21 increase in the use of resource efficient building  
22 design and techniques and the use of recycled content  
23 products. This is the backend. This is the demand  
24 side of the equation, and it says, if we're going to  
25 move all these materials out of the waste stream, we're  
26 going to take the time and spend the money to collect



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1    them and reduce the contaminants in them so that they  
2    can be effectively used as feedstock for new products.  
3    We have to buy that feedstock on the backend.

4               The outcome of Goal 1, which is our more  
5    regional goal initially was to develop two regional  
6    action plans, and I'll briefly discuss those.  What we  
7    want to see here are two regions in the state  
8    identified that will work with us on employing specific  
9    practices, looking at on site job site separation  
10   techniques, looking at other things that can be done to  
11   move this material into the marketplace, and then to  
12   take that information and move it out statewide.  We  
13   have a team of three staff from each of the three line  
14   program divisions that have been working on this for  
15   about a month.  They're in the process right now of  
16   coming up with final identification of the two regions  
17   in the state based upon factors such as how much C&D  
18   debris do they generate?  What are their construction  
19   practices?  Do we see a lot of building going on there?  
20   And what's their diversion rate?  Are they high  
21   achievers?  Are they low achievers?

22              The outcome targets for Goal 2.  We have  
23   five of them, and I'll show you them on two slides.

24              The first one is that those professional  
25   boards out there that regulate the people were most  
26   interested in hearing these messages, the contractors

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1 out there, that they accept the concept of C&D  
2 questions and their licensing exams so that what we're  
3 talking about here becomes incorporated into their  
4 fundamental education.

5           We're going to select three to ten standards  
6 or techniques that pose barriers. These are very  
7 similar to let's say the use of tearoffs, asphalt  
8 shingles from deconstruction activities and using  
9 those, for example, as road base. There's a lot of  
10 techniques and opportunities out there to use C&D  
11 debris coming off job sites.

12           The third target is need for local C&D  
13 policies to be clearly stated and promoted by the  
14 Board. What we're looking for here are potential  
15 models, different approaches to be able to give as  
16 examples and have the Board promote as examples down to  
17 the local level.

18           Target 4 is to have a system in place to  
19 collect and analyze recycled product content  
20 information and to identify two target audiences.  
21 We've got a lot of information out there right now. We  
22 need to find a way to more effectively get it to our  
23 target audiences. We need to find a way to really  
24 focus on California products as well. So we're not  
25 just there improving the marketplace for products  
26 produced nationally that get sold here in the state,

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1 but we're providing a positive environment for folks to  
2 come in and establish new businesses here.

3           And the fifth target is to identify  
4 potential partnerships, and in this area we're looking  
5 strongly at partnerships with entities such as the  
6 Building Industry Institute where we can really focus  
7 on our contractors, one of our main clients in this  
8 effort, and we can focus on the end users with the  
9 partnership, for example, with Home Depot, where they  
10 would be working and focusing on highlighting in their  
11 store which products are made from recycled content  
12 products, ways to identify them, clinics to educate  
13 the public that comes in on weekends around these  
14 products and how to use them.

15           So to move into the specific contract  
16 concepts, and I'll direct your attention to  
17 Attachment 2 of the item, and we'll look under the  
18 construction and demolition debris category.

19           You'll see that the first concept is  
20 Number 3, and this is technical assistance for C&D  
21 waste. This concept directly supports Goal 1. That  
22 was the regional goal, where we're working with two  
23 focused regions in the state, and I'll tell you right  
24 now that this concept is not a very specifically  
25 targeted concept because it is intended to provide  
26 monies to the two selected regions in the state to

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1 develop their plans. They may need additional  
2 assistance in focusing on a specific element of their  
3 waste stream. They may need specific assistance in  
4 working with targeted retailers or targeted contractors  
5 in their area to develop the plans as well. So we're  
6 not exactly sure, and we're beginning those discussions  
7 with the local entities right now. This concept was  
8 originally included in the 1997-98 list of contract  
9 concepts, and if you'll remember, it was then directed  
10 into the monies that would be made available for the  
11 greening of the Cal EPA building, and it was at the end  
12 of the fiscal year that those monies became available  
13 to us once again, and we were not able to spend them in  
14 that very limited amount of time at the end of the  
15 fiscal year. So this is concept Number 3.

16           Moving on to Concept Number 55 and 47, I'm  
17 going to talk about those briefly together. Those  
18 support Goal 2, which is our more statewide goal where  
19 we're looking at the broader elements of getting  
20 contractors out there to become aware of the issues,  
21 selecting standards, et cetera. This concept, or these  
22 two concepts supports Targets 2 and 4, which is  
23 identifying standards and techniques that pose barriers  
24 and overcoming them, putting the systems in place to  
25 identify recycled content products and working with  
26 targeted audiences to deliver the message.



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1                   Concept Number 5 specifically is a precursor  
2   to Concept Number 47.

3                   Concept Number 55 would set aside \$35,000 to  
4   be made initially for an evaluation or development of a  
5   conceptual plan for a green building technology center.  
6   We cannot tell you exactly what the center would do,  
7   because the point of this concept is to look at various  
8   approaches and options for delivering technical  
9   assistance to local jurisdictions, and the next phase,  
10   private entities for how to get information on green  
11   building techniques, how to effectively incorporate  
12   them into the building specifications and design  
13   processes. So under this concept the deliverable will  
14   be a product with a series of options for the Board to  
15   consider where you will be looking at different  
16   approaches for such a center, and one of the options  
17   may be that it's not a center at all but something else  
18   that we may not even be thinking of here today. So  
19   this is the precursor to Item Number 47.

20                  Concept Number 47 would then set aside  
21   \$500,000 for the implementation of the approach that  
22   the Board selected as one of the options. This is a  
23   placeholder in that sense. We don't know specifically  
24   what the funds would be used for. That determination  
25   would be made by you, the Board, upon presentation of  
26   the conceptual plan developed by the contractor under

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1 Item Number 55.

2                   Moving on to Concept Number 48. Concept  
3 Number 48 supports Goal 2 again, which is our more  
4 statewide goal, and specifically it supports Target 3  
5 looking at specific actions that the Board would take  
6 to promote construction and demolition debris  
7 separation on the job site. This concept would have a  
8 contractor come in, look on a statewide basis on what's  
9 working locally, how are local ordinances set up, how  
10 are local conditions set up, what are some of the  
11 practices that they have in place that enhance or  
12 promote on site and job site separation. That  
13 information would then come back to the staff and we  
14 would then develop model approaches that could then be  
15 used by local jurisdictions around the state. We see  
16 on site job site separation as a principle barrier to  
17 getting contaminant-free material into the marketplace.

18                   Moving on to Concept Number 49. Concept  
19 Number 49 is a training concept, an expansion of the  
20 existing contract that we have with the Building  
21 Industry Institute. This would be proposed as a sole  
22 source contract. We received approval for a sole  
23 source in fiscal year 97/98 with this same entity  
24 because they are the principle training arm for  
25 contractors statewide, and they are the industry's  
26 training institute itself.

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1                   What this concept would do would be to build  
2   on the training program that started out at a very  
3   modest \$10,000 level in fiscal year 97/98, and it would  
4   add in elements pertaining to construction and  
5   deconstruction activities so that contractors are much  
6   more aware of techniques and how to do this right.

7                   As a component of this contract concept, the  
8   Building Industry Institute would also perform on-site  
9   surveys following the trainings of the contractor  
10   groups, where they would go out and evaluate whether or  
11   not those contractors that had received the training  
12   were actually putting into practice what they learned,  
13   and they would then make recommendations for followup.  
14   So there's a significant job site component --  
15   follow-up component to the training element here.

16                  Concept Number 50 is a C&D educational  
17   campaign. I want to explain that briefly. It supports  
18   to Goal 2, Target 1 -- actually Goal 2 Target 5. Those  
19   two are switched. I need to make a correction up  
20   there. Concept Number 49 supports Target 1. Concept  
21   Number 50 supports Target 5, which is our partnership  
22   target.

23                  This concept would make available  
24   informational material that would be used through our  
25   partnerships. Let me use that example of Home Depot  
26   again. If they were to agree to a more extensive

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1 partnership with us, this concept could be used to  
2 develop in-store techniques, such as shelf toppers,  
3 displays, informational pieces that the public when  
4 they come through the store could see, and that could  
5 then be used to make a decision on their part as to,  
6 which product I'm going to buy. Am I going to purchase  
7 the product made of recycled content, or am I going to  
8 purchase the other product, and these materials made  
9 available through this contract would be used to help  
10 the public make that decision. It could be in the form  
11 of educational materials that would be handed out,  
12 let's say, at Saturday clinics or other types of  
13 clinics that would be held for the public on getting  
14 them familiar with these kind of products. So this is  
15 a public targeted concept.

16               Moving into Targets 51 and 52, these two  
17 concepts were submitted separate from the C&D action  
18 team. Concept Number 51 is for a green building grant  
19 program, and this concept was proposed to provide  
20 funding in the form of incentives to contractors or  
21 builders to incorporate green building techniques.  
22 What I would propose is, if this is an area that the  
23 Board wants to look at, that you would tell us that  
24 under Concept Number 55, which is the development of  
25 the conceptual plan that we direct the contractor to  
26 look at this as an option within the center as well, so



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1 that we would first look at its effectiveness and  
2 evaluate it, and then the Board would have the  
3 opportunity downn the road for the \$500,000, or  
4 whatever amount you were make available for the roll  
5 out of the center to look at this as a component. So  
6 that would be staff's recommendation on 51.

7 Concept Number 52 additionally was submitted  
8 independently of the C&D team. This is for  
9 deconstruction training, and this would provide  
10 training through a specific entity that we've actually  
11 worked with in this past -- I believe it's the building  
12 materials people, and they're located in  
13 Southern California. We actually applied for a grant  
14 with them to U.S. EPA to see if we could funding for  
15 some of their training. Since that time we developed a  
16 closer working relationship with the II. That  
17 relationship has developed very positively, and what we  
18 would see is that an element of the deconstruction  
19 training would be provided through Concept Number 49,  
20 and that we could then evaluate at that point whether  
21 or not it met all the needs necessary around  
22 deconstruction training.

23 I'd also like to point out to the Board that  
24 you're going to be visiting next week, I believe, the  
25 Gildea Center, CEC, and they received a grant from  
26 U.S. EPA which they just recently completed, and it was

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1 the development of a video which we have previewed. It  
2 is an 11-minute video, I believe, and it's targeted at  
3 the small contractor, promoting specific deconstruction  
4 techniques. So I'm sure that's something they could  
5 also make available or we could show you as well, but  
6 that's an example of the type of thing that we would be  
7 looking at under the training element.

8               So we would recommend that the  
9 deconstruction aspect be folded in and an element of  
10 Concept Number 49 and be reevaluated down the road in  
11 terms of whether we hit all of the target audiences  
12 there.

13              And that concludes the concepts from the C&D  
14 team, and I'd be happy to take any questions.

15              CHAIRMAN PENNINGTON: Okay. What I'd like  
16 to do here, since we have the one item that comes out  
17 of the IWMA, the green building tech center conceptual  
18 plan, Number 55, let's deal with that first.

19              Is there any questions on that?

20              MEMBER JONES: Is that enough? Is that  
21 enough money?

22              MR. CHANDLER: I believe Caren's staff have  
23 expressed that it would be nice if the scope of work  
24 that we received for that level of funding would be  
25 expanded so that perhaps the detailed business plan  
26 could be more comprehensive, and we frankly had to

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1 negotiate that back a little bit because of the budget.  
2 On one hand, certainly, you're going to get a more  
3 comprehensive business plan proposal and an array of  
4 options with more in funding, but for right now, the  
5 scope of work that was agreed upon, which was a more  
6 modest development of the business plan, given the  
7 budget that we have. So it's kind of like, if you want  
8 more, we need more funding if you want to be  
9 comfortable with just a first cut at what a business  
10 plan would lay out. We feel this is sufficient.

11 MEMBER JONES: All right. That was just a  
12 question. I'll second your motion, Mr. Chairman.

13 THE SECRETARY: Did you make a motion?

14 CHAIRMAN PENNINGTON: Well, I didn't, but I  
15 will.

16 MEMBER JONES: I thought you said I want to  
17 move.

18 CHAIRMAN PENNINGTON: Yeah. Anyway I moved  
19 that we adopt Item 55, the Green Building Technical  
20 Center Conceptual Plan. My colleague Mr. Jones  
21 seconded it.

22 If there's no further discussion, will the  
23 secretary call the roll.

24 THE SECRETARY: Board Member Eaton.

25 MEMBER EATON: Aye.

26 THE SECRETARY: Frazee.

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1 MEMBER FRAZEE: Aye.

2 THE SECRETARY: Jones.

3 MEMBER JONES: Aye.

4 THE SECRETARY: Chairman Pennington.

5 CHAIRMAN PENNINGTON: Aye. Motion carries.

6 MS. TRGOVICH: Chairman Pennington, I want

7 to make sure I'm clear. That was approved. There was

8 a question about whether the funding level was

9 sufficient. Was it approved at the \$35,000?

10 MEMBER JONES: 35.

11 CHAIRMAN PENNINGTON: 35.

12 MS. TRGOVICH: Okay.

13 MEMBER JONES: Mr. Chairman, may I ask a

14 question?

15 CHAIRMAN PENNINGTON: Mr. Jones.

16 MEMBER JONES: Ms. Trgovich, on your -- oh,

17 which one was it -- two things. We're going to work

18 with the local jurisdictions to try to expand, you

19 know, regionally the use of C&D and collection and all

20 that stuff. Not a problem. We're identifying

21 communities that have a low diversion rates?

22 MS. TRGOVICH: We're looking at two things.

23 That was a lot of discussion in the C&D group actually

24 on this point. There were those that said we needed to

25 have one of each. A community that's doing fairly well

26 and, therefore, has an existing infrastructure, because



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1 we want to be able to demonstrate success. We want to  
2 make sure that the community there has the existing  
3 infrastructure so that we can see some things really  
4 happen within the next 6 to 18 months, and what we also  
5 want to see are communities that are fairly below that  
6 success line so that we can help them get higher. So  
7 we're actually looking for one of each, Member Jones.  
8 We're looking for a community that's doing fairly well,  
9 and we're looking for a community that isn't doing so  
10 well.

11 MEMBER JONES: Okay. The 500,000, it would  
12 seem to me on that, since it is only a placeholder, and  
13 we have three years to spend money, the placeholder's  
14 kind of held; right? I mean, if we don't allocate the  
15 dollars and we still have the money, we have three  
16 years to allocate money, so the need of a placeholder  
17 may not be quite as current today -- 'cause we thought  
18 we only had a year to do this.

19 MS. TRGOVICH: Right. The one thing I would  
20 point out, though, is where a placeholder would help  
21 is, it would tell the contractor developing the  
22 conceptual plan what the relative budget is that the  
23 Board is willing to spend around options for a tech  
24 center. So it does send a message, and you can send a  
25 message in a number of ways.

26 MEMBER JONES: The C&D ordinance one where

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1   you're talking about going into a community looking at  
2   that and then come up with the best practices, that  
3   one's going to take some finesse, because there are  
4   incentives that certain cities can offer through their  
5   planning department, through their building departments  
6   that others may not be equipped to use. We have to be  
7   aware of that, you know, 'cause we may be setting  
8   standards and nobody else wants to play by them, and  
9   then we also have to deal with areas where there is a  
10  competitive disadvantage built into the ordinances.  
11  You know, are we going to look at it from all those  
12  standpoints that we don't set out criteria that could  
13  eliminate?

14               MS. TRGOVICH: Initially we would not look,  
15  and, as Howard said earlier, the scopes of work for all  
16  of these would be coming back to you. We would not  
17  look to eliminate anything from the initial evaluation,  
18  but in the end what's ultimately going to come to you  
19  likely are certain approaches that we will be asking  
20  for your support on as models to disseminate statewide,  
21  and at that point there certainly will be criteria  
22  applied.

23               MEMBER EATON: Let me ask this question.  
24  With Assemblyman Bowen's bill, AB 2432, isn't it a fact  
25  that we're going to be writing regs?

26               MS. TRGOVICH: In terms of green building

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1 practices --

2 MEMBER EATON: Or are you going to contract  
3 the regs out?

4 MS. TRGOVICH: In terms of green building  
5 practices, we have yet to discuss that.

6 CHAIRMAN PENNINGTON: The governor hasn't  
7 signed that bill.

8 MEMBER EATON: Correct, but my point is that  
9 if we find that, we may, since it's an RMDZ FUND, until  
10 that's decided, we may just be allocating money and  
11 duplicating it, whereas the whole idea of getting  
12 around the locals and stuff, we may be able to develop  
13 a statewide kind of set of criteria that the locals  
14 will have to follow.

15 MS. TRGOVICH: The ordinances are not  
16 targeted at green building. The concept pertaining to  
17 ordinances Concept Number 48 is pertaining to the  
18 collection and on site or job site separation  
19 activities. So it's not the construction end. It's  
20 the deconstruction end.

21 MEMBER EATON: Ms. Bowen's bill deals with  
22 all of that. That's the whole point. That's what I'm  
23 just trying to get. I'm trying to figure out not if  
24 this is a bad idea, but is it an idea --

25 MEMBER JONES: Is it timely.

26 MEMBER EATON: Is it timely, you know.

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1                   That's all.

2                   CHAIRMAN PENNINGTON:   You know, we could --  
3   is there a time crunch on that?

4                   MS. TRGOVICH:   It's a target in the plan.  
5   Any delay would just simply move the deadlines out.

6                   CHAIRMAN PENNINGTON:   We could move, set  
7   aside and move it to the 6th, where we'll see what's  
8   happened with the Bowen bill.

9                   MEMBER EATON:   Because we may very well want  
10   to, if we're not doing the regs internally or need help  
11   on the outside, we may want to move and shift some of  
12   that money around to assist us with that project.  
13   That's all.

14                  MR. CHANDLER:   The other issue that I want  
15   to discuss with the Board is sometimes in a veto  
16   message, the administration has been known to point out  
17   that legislation's not needed.   The Board has a  
18   statutory authority to look into areas such as this  
19   without legislation, so I think the question is still  
20   germane that will be on the table is, do we want to do  
21   work in this area with or without the signature, and if  
22   we can do some work in this area without the signature,  
23   to what degree, and then we start to put a work plan  
24   together around that.   So I look at this work needing  
25   to go forward in some degree regardless.

26                  MEMBER EATON:   And it also ducktails into



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1 working with the BII, because that's really the  
2 essential. If you can get them to start doing some of  
3 this stuff, even the ordinance stuff, you know, that's  
4 kind of where the first step happens to be, I believe,  
5 because if you can get the people who are actually  
6 doing the work to do it in a manner because it's most  
7 cost-effective or beneficial, then we overlay the fact  
8 that it's the right thing to do, we may even avoid  
9 governmental kind of tampering.

10 MEMBER JONES: So would 48 and 49 work  
11 together, then? Is what you're saying? The BII and  
12 the ordinances could be a coordinated --

13 MEMBER EATON: Well, one could obviously --

14 MEMBER JONES: -- compliment.

15 MEMBER EATON: Compliment the other. Or  
16 actually be part of it.

17 MEMBER JONES: Just so I understand.

18 MS. TRGOVICH: Those would be two  
19 different --

20 MEMBER JONES: They're two different. I  
21 just wanted to --

22 MS. TRGOVICH: -- two different contract  
23 vehicles.

24 MEMBER JONES: That makes sense. I just  
25 didn't want to go down the road of making a motion and  
26 find out it was -- I had misread something, or if

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1     anybody here makes a motion.

2                   MEMBER EATON:   But one would be to perhaps

3     hold off on the Number 48 until we determine, one,

4     whether or not the Bowen bill, and our responsibilities

5     there, too, if it is signed, we have --

6                   MR. FRAZEE:   48 or 47?

7                   MEMBER EATON:   48, sir.

8                   CHAIRMAN PENNINGTON:   The ordinances.

9                   MEMBER EATON:   Because under the Bowen bill,

10    there is a charge for all of that.

11                  MR. FRAZEE:   For construction and

12    demolition?  I thought the Bowen bill was aimed towards

13    green building concepts and requiring new construction.

14                  MEMBER EATON:   It deals with recycled

15    content, C&D, energy.  It's more comprehensive.

16                  MEMBER FRAZEE:   I just see 48 as being

17    something different than that.

18                  MEMBER EATON:   It's my understanding that

19    the City of Santa Monica is already developing a C&D

20    ordinance; is that correct?.

21                  MS. TRGOVICH:   Yes, they are, and the city

22    of San Francisco.  There's a number of entities out

23    there.

24                  MEMBER EATON:   Right.  Maybe what we do

25    instead is either partnership with that or hold it back

26    and see what we can't do to push them over the top.

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1 I'm not saying that I disagree with use of it. This  
2 question, again, Mr. Jones pointed out, is it timely at  
3 this point?

4 CHAIRMAN PENNINGTON: I think Mr. Frazee has  
5 a --

6 MR. FRAZEE: Yes, a couple of comments on  
7 these items.

8 First of all, in the green building  
9 technology center, the major portion of the savings in  
10 a green building is energy associated, rather than the  
11 use of recycled materials, which are sort of twin  
12 goals, and I would hope in that one that we do a  
13 partnership with the Energy Commission because those  
14 two go hand in hand in that regard.

15 The other comment on that item, you  
16 mentioned working with contractors. The major target  
17 is not contractors, but architects and building  
18 designers and interior designers. I think we learned  
19 that lesson with the Cal EPA building. By the time you  
20 get to the builder, time you're too late. You need to  
21 be out front, and the emphasis ought to be on working  
22 with the specification book publishers and all of that  
23 and getting the architects online.

24 Then to change subjects a bit, on the  
25 deconstruction training program, my favorite one, and  
26 you suggested that that could be folded into training

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1 expansion through BII, and I think there you have two  
2 different target audiences altogether. The people who  
3 do building deconstruction are not necessarily members  
4 or participants in the building association there.  
5 They're sort of specialty contractors who do nothing  
6 but that and then don't building anything new, and so I  
7 think we're perhaps missing the target.

8 MS. TRGOVICH: I think what we were looking  
9 at was seeing what their -- what audience they could  
10 potentially reach out to. Could they potentially  
11 target an audience that's bigger than their active  
12 association members, Number 2? And Number 3, we were  
13 also looking at what materials currently exist such as  
14 the video that was just recently completed by CEC and  
15 the training that they're doing right now, which is  
16 really focusing on the small contractor that's coming  
17 in just to take something down. So we were kind of  
18 looking at all three of those elements, but we'd be  
19 happy to continue to look at that and see --

20 MEMBER FRAZEE: In our area, much of the  
21 deconstruction is done by cross border workers. Even  
22 CalTrans work is being done by illegal aliens, and I  
23 have documented evidence on that.

24 MEMBER JONES: I believe you.

25 MEMBER EATON: I signed the form.

26 MR. FRAZEE: But, you know, it just seems



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1     that there are kind of two different target areas, and  
2     I'll let it go at that.

3                 MEMBER EATON:   Well, you're right,  
4     Mr. Frazee, because ironically in New Mexico in one of  
5     the presentations, it should come as no surprise to  
6     you, but one of the main features of one of the films  
7     that was used by one of the governmental agencies was  
8     the fact that Turner Construction was the leader in  
9     green building construction.  They are the same  
10    builders who are building Cal EPA.

11                MR. FRAZEE:   Oh, really.

12                MEMBER EATON:   I thought it was a little  
13    ironic.

14                MR. CHANDLER:   Again, I think it gets to  
15    Bob's point.  They have always maintained if it had  
16    been architecturally designed.  Look at the building.  
17    We'd build it for you, but you never put the budget or  
18    the concepts before us, so we're building what we've  
19    asked to be built.

20                MEMBER EATON:   I agree.

21                MEMBER JONES:   So tell me what item that is  
22    and where we have to put the money.  I mean, if we get  
23    it to the architects --

24                MS. TRGOVICH:   That would be the technology  
25    center.

26                MR. FRAZEE:   The center or the program

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1     itself?

2                   MEMBER JONES:   The center or the program?

3                   MS. TRGOVICH:   The program, I'm sorry.   But  
4     remember the program is dependent upon the option that  
5     you select under Item 55.

6                   CHAIRMAN PENNINGTON:   The tech center is the  
7     concept; right?

8                   MS. TRGOVICH:   Right.   That's the concept.  
9     That will bring forward options.

10                  CHAIRMAN PENNINGTON:   So that's where we've  
11     got to make the decision is to working with the  
12     architects and planners.   It's there, and then they'll  
13     implement that through the technical program.

14                  MEMBER JONES:   Okay.   The educational  
15     campaign that is geared to shelf talkers and whatever,  
16     how could we spend that money in a way that the people  
17     that actually do it, you know, do the work, have a  
18     benefit in doing it, you know.   I mean maybe it pushes  
19     them over the edge.   Shelf talkers and educational  
20     programs are wonderful things, but, you know, our  
21     issues aren't on top of the page anymore.   They're a  
22     little bit different.   So, you know, we keep throwing  
23     information out and telling people how to do stuff, but  
24     if they don't have a need or a desire, then, you know,  
25     what's the impact of the -- of that project?   And I  
26     think just, you know, putting educational material out

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1 at stores, whether it's Home Depot or whoever, is a  
2 good way to spend \$200,000 if you have an extra  
3 \$200,000 to spend, but I don't know what the effect is.  
4 Are we hoping that we trigger in people's minds, this  
5 is a potential? You know, I just don't -- I think the  
6 intent is good. I'm just wondering about the outcome  
7 that we think we're going to get.

8 MS. TRGOVICH: The outcome would really be  
9 dependent upon the partnership. This concept, Concept  
10 Number 50, is direct support for the partnerships,  
11 which are Target 5 of the C&D action plan. So  
12 depending upon what specific partnerships we enter  
13 into, and we currently have a very active partnership  
14 with the Building Industry Institute. We have a very  
15 good developmental partnership right now with the  
16 Contractors Licensing Board, and we're looking to get  
17 partners in the private sector. That partnership and  
18 their commitment in that partnership will then drive  
19 what this concept would provide.

20 CHAIRMAN PENNINGTON: Certainly, if you  
21 could get questions of this type on the contractor's  
22 licensing exam, it will certainly make them focus on  
23 it.

24 MS. TRGOVICH: This may develop a module to  
25 that exam. That's a potential.

26 MEMBER JONES: I just wanted to get it

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1 clarified.

2 CHAIRMAN PENNINGTON: Okay.

3 MEMBER EATON: With regard to the  
4 educational campaign, are we not kind of putting, you  
5 know, the cart before the horse since we have all of  
6 these other projects that are in this category going  
7 forward that may give us additional information that  
8 would be probably at that point much more clearly  
9 defined and probably perhaps beneficial, so that before  
10 the educational goes to buy education materials, we  
11 will at least done our homework.

12 MS. TRGOVICH: I think you're absolutely  
13 right, and these other concepts and our other program  
14 activities are going to provide us with additional  
15 information. That's why this concept does not propose  
16 very specific outcomes. It is really going to be  
17 driven -- the use of this contract, if it's put in  
18 place, will be driven by the partnerships, and the  
19 partnerships will look at, what are we currently doing?  
20 What information's currently available? There may be  
21 certain partnerships that require no additional  
22 campaign support. There may be some that rely on it  
23 heavily. This is to put kind of -- I hate to say it,  
24 but put our money where our mouth is. If we're going  
25 to ask these folks to promote these products to the  
26 consumers coming through their retail stores, it's



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1 saying, "And we're going to be here to support you.  
2 We're going to be behind you, and we'll provide you  
3 with the information, what you need to reach your  
4 customers."

5 CHAIRMAN PENNINGTON: Okay.

6 MEMBER EATON: Let me just ask a couple  
7 questions, because I did hear Ms. Harris speak in  
8 New Mexico. She was willing to give her book away, and  
9 so that would probably be the database, would it not?

10 MS. TRGOVICH: Of the Harris database? We  
11 have the Harris database. We pay for the Harris  
12 database, and we have it online. Anyone can access  
13 it --

14 MEMBER EATON: She was good. I should I  
15 have picked it up for you.

16 MS. TRGOVICH: -- on our net site.

17 MEMBER EATON: But one of the things is why  
18 would we do a California only when it's so limited in  
19 terms of -- it seems like the cost of 40,000 develops  
20 something, where couldn't we just extrapolate from some  
21 other sources?

22 MS. TRGOVICH: We currently make the Harris  
23 database and the recycle content database available  
24 online through our net site. What we found, and the  
25 complaints that we've received, is that those are  
26 essentially East Coast based databases, that's where

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1 they're developed from, they're very few California  
2 vendors, so it's not to exclude those databases. We  
3 make those available. It's to add to them. It's to  
4 fill the gap of the California vendors, which is where  
5 we are.

6 MEMBER EATON: Vendors or manufacturers.

7 MS. TRGOVICH: Manufacturers. I'm sorry.  
8 Wrong term.

9 MEMBER JONES: I don't want to take a stab  
10 at it. I don't have a clue.

11 CHAIRMAN PENNINGTON: Sure. I will.

12 I'll move that we adopt Item Concept  
13 Number 3, the technical assistance for C&D waste, move  
14 Number 47, the green building tech program, 49 the  
15 training expansion through BII, and 50, the C&D  
16 educational program, and that we move the C&D ordinance  
17 to the October 6th meeting.

18 MEMBER FRAZEE: I have a question on --

19 CHAIRMAN PENNINGTON: Sure.

20 MR. FRAZEE: -- that. You indicated  
21 Item 47 and not 55, and it seems like 55 is a precursor  
22 to --

23 MEMBER JONES: We did it.

24 MS. TRGOVICH: 55 was approved just a short  
25 while ago.

26 MEMBER FRAZEE: Oh, sure. Okay. I'm sorry.

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1 I checked it, too.

2 MEMBER EATON: But --

3 MEMBER FRAZEE: I'll second that.

4 MEMBER EATON: I believe that 47 follows

5 from 55, because there's going to be a business plan

6 developed out of 55, and do we not wait until that

7 business plan is developed? You know, I posed the

8 question in terms of, you know, 'cause it is kind of a

9 placeholder. There's a lot of placeholders everywhere.

10 CHAIRMAN PENNINGTON: What does that do to

11 you if we --

12 MS. TRGOVICH: It doesn't do anything

13 currently, because we would not proceed with Concept

14 Number 47 until you approved an approach that would be

15 the output of Concept 55. The question is just for

16 purposes of the development of the plan and anyone who

17 is interested in the various options is to know the

18 Board's level of commitment to the center.

19 CHAIRMAN PENNINGTON: So I guess the

20 question then becomes whether we approve the money now

21 and set it aside, or we sort of set it aside and

22 approve it later. I think that's what we're doing. I

23 don't know.

24 MEMBER EATON: It wouldn't make any

25 difference, yeah.

26 MR. CHANDLER: When we scoped this out, the

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1 conceptual plan, business plan concept, obviously the  
2 next question we got was, at what level would the Board  
3 be willing to consider. And the only reason we have  
4 500,000 is, my example was, our work with the Southern  
5 California Technical Resource Center on RACK, and we've  
6 contributed 500,000, I think, in two fiscal years for  
7 that. So in our discussions we simply said, the only  
8 model that I can draw from is that the Board's been  
9 willing to put that level of interest in rubberized  
10 asphalt tech centers. Consider that a potential  
11 budgetary area level that we might be willing to come  
12 back with, but I agree. We have no -- at this time, no  
13 proposal in front of you to tell you what level of  
14 funding this should be. I just would like to know that  
15 we haven't spent all the money and then we come back  
16 with a business plan and we have no -- and I think  
17 Mr. Frazee's example, or request -- I don't know if it  
18 was request, but interest in the deconstruction  
19 training program, which is not -- well, I guess that's  
20 still to -- which is not part of the executive staff  
21 recommendation, but an RMDZ request would be something  
22 in order make sure we didn't lose in that. And I guess  
23 what I'm saying is we want to make sure that those  
24 concepts are included in anything that the business  
25 plan puts forward and at least considers as part of its  
26 original scope.



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1                   CHAIRMAN PENNINGTON: I thought 49, though,  
2 included some deconstruction.

3                   MS. TRGOVICH: 49, we are proposing that it  
4 would look at deconstruction as an element.

5                   CHAIRMAN PENNINGTON: Right.

6                   MS. TRGOVICH: But Member Frazee is focusing  
7 on an audience that may not necessarily be served by  
8 BII's membership.

9                   CHAIRMAN PENNINGTON: Well, I think he's  
10 right about that.

11                  MEMBER JONES: Include the item.

12                  MEMBER EATON: Mr. Chair, I would agree with  
13 you. Why don't we set the money aside that shows our  
14 level of commitment. In other words, it would be  
15 earmarked as a placeholder, because it's going to come  
16 back as to how we spend it, if I hear Caren and Ralph  
17 say, and I think that probably in terms of what we're  
18 going to do in terms of market development, this is the  
19 one fertile ground we have that's actually going to  
20 arise, because that's really sort of the in vogue kind  
21 of way that everyone's kind of going as you look  
22 around. Not only California, but for the country, and  
23 the debate is really taking over all the cities. So if  
24 we do that, at least we know in the future if something  
25 comes back, at least we've got that money there and  
26 it's probably a question then how best to spend it

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1 within those confines as opposed to maybe we will spend  
2 it in those confines, I think was your point; correct?  
3 MR. CHANDLER: Yeah.  
4 MEMBER JONES: Deal with it on the scope  
5 then?  
6 MEMBER EATON: Correct. That's what I'm  
7 saying. Right?  
8 CHAIRMAN PENNINGTON: Yeah. If we included  
9 52, which is 100,000, do we have to look for 100,000 or  
10 do we have some surplus? I need to look at that.  
11 MS. TRGOVICH: You would need to look. It's  
12 not included in the recommendation, but there was a  
13 reserve.  
14 MS. FISH: Yeah, there is a reserve --  
15 MEMBER JONES: 450,000 up in grass cycling.  
16 MS. FISH: Well, you also have another  
17 300,000 that there wasn't --  
18 CHAIRMAN PENNINGTON: All right. Then I'm  
19 going to include -- I'm going to amend my motion and  
20 include 52 in that, 'cause I think you're absolutely  
21 right, that there are those specialists that are  
22 deconstruction type people.  
23 MEMBER JONES: I agree.  
24 Can you restate your motion?  
25 CHAIRMAN PENNINGTON: Restate my motion.  
26 Okay.

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1                   I'm moving that we adopt Concept Number 3,  
2   Concept Number 47, Concept 49, 50 and 52, and that we  
3   move Concept 48, the C&D ordinances, to the October 6th  
4   meeting so we can see what the outcome of the Bowen  
5   bill is.

6                   MEMBER EATON:   And what was on 51?

7                   CHAIRMAN PENNINGTON:   I did not include 51.

8                   MEMBER EATON:   I'm just making it clear.

9                   CHAIRMAN PENNINGTON:   I did not include 51.

10                  MR. FRAZEE:   Okay.   I will second it.

11                  CHAIRMAN PENNINGTON:   Okay.   It's been moved  
12   and seconded.   Any further discussion?

13                  MEMBER JONES:   No.   I think it's clear that  
14   on 47 that doesn't move anywhere till after 55.

15                  CHAIRMAN PENNINGTON:   Correct.

16                  MEMBER JONES:   I know.   I just like hearing  
17   myself.

18                  CHAIRMAN PENNINGTON:   Will the secretary  
19   call the roll.

20                  THE SECRETARY:   Board Member Eaton.

21                  MEMBER EATON:   Aye.

22                  THE SECRETARY:   Frazee.

23                  MEMBER FRAZEE:   Aye.

24                  THE SECRETARY:   Jones.

25                  MEMBER JONES:   Aye.

26                  THE SECRETARY:   Chairman Pennington.

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1                   CHAIRMAN PENNINGTON: Aye. Motion carries.  
2                   We'll move to facility --  
3                   MEMBER JONES: Are we having lunch today?  
4                   CHAIRMAN PENNINGTON: I don't know. Maybe  
5 it's better to get you all working while you're hungry.  
6                   Let's see if we can at least get through  
7 this item anyway.  
8                   MEMBER JONES: Facility complaints?  
9                   CHAIRMAN PENNINGTON: Yeah.  
10                  MEMBER JONES: I don't have a problem with  
11 that.  
12                  CHAIRMAN PENNINGTON: Number 11 and 12.  
13                  MEMBER JONES: That's right. We did --  
14                  CHAIRMAN PENNINGTON: We did 9 and 10  
15 already.  
16                  MEMBER JONES: Yeah.  
17                  CHAIRMAN PENNINGTON: Those are IMA Stuff.  
18                  MR. FUJII: Good morning, I'm Bob Fujii.  
19 Permanent enforcement division.  
20                  We're going to do a little bit of a rundown  
21 on both the 11 and 12. I'm going to let Darryl Petker  
22 talk about Item 11, which is alternate covers  
23 assessment program. Then I'll go ahead and give the  
24 laboratory services one myself.  
25                  CHAIRMAN PENNINGTON: Okay.  
26                  MR. PETKER: Good morning, Board members.



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1                   CHAIRMAN PENNINGTON: Identify yourself,  
2   Darryl.

3                   MR. PETKER: Oh, I'm sorry. Darryl Petker.  
4   I work in the permitting enforcement division.

5                   I proposed this concept so that we could  
6   integrate our development of landfill closure ideas and  
7   research with some others both in Nevada, Utah, some  
8   other states. The concept has grown even since I've  
9   done this, and maybe a little background here would be  
10  a good idea.

11                  As recently as three and four years ago,  
12  numerous consultants started a concerted effort to  
13  develop alternative covers in an effort to save  
14  operators money and closing landfills in a safe manner  
15  that we do. That's developed over time, but the  
16  development has been sporadic with different  
17  consultants and different operators doing a little bit  
18  different things, proposing different parameters for  
19  their data collection. We saw that developing, tried  
20  to work with them. The Desert Research Institute then  
21  proposed a national plan, or a southwest plan for the  
22  United States for these. They talked to us. I liked  
23  the idea. That idea has grown into a federal plan with  
24  the EPA, the Department of Energy, the Department of  
25  Defense. After talking with them, we need to be -- I  
26  think we need to be onboard. To do that, we need to

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1 buy into the board of directors to participate in the  
2 information and make sure that the information that  
3 they develop could be correlated to the information  
4 that we already have and developed. So to be able to  
5 do that, we need to be part of that program, and that's  
6 what this money should get us.

7 CHAIRMAN PENNINGTON: Questions?

8 MEMBER JONES: Mr. Chairman.

9 CHAIRMAN PENNINGTON: Yes.

10 MEMBER JONES: This is one of the items that  
11 I also have been endorsing, because it is a way to help  
12 minimize some closure. It also gives us the ability to  
13 add stability to closure sites, because depending upon  
14 rainfalls, you can go with deeper rooting plants and  
15 trees and vegetation that you normally wouldn't have  
16 been able to go to when you went to just a synthetic  
17 cover and then a little bit of clay. So my only  
18 question, or something I want to know, if this study is  
19 going to help us determine while we're going forth with  
20 monolithic covers, do they look at the gas situation?  
21 Because, you know, when we're talking about extraction  
22 of methane gas, it becomes a lot easier when it's  
23 entombed -- when it's a bag inside of a bag.

24 MR. PETKER: Correct.

25 MEMBER JONES: When we eliminate the bag,  
26 does it give it -- are we able to recover that gas? Is

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1     that a side effect that we maybe lose some gas  
2     efficiency collection if we go to this kind of cover,  
3     and I just hope that that is part of the study.

4             MR. PETKER:   Right.   That is part of the  
5     things that I wanted to get involved in the study.  
6     That is some of the things that we do look at locally,  
7     and I think should be looked at nationally.

8             MEMBER JONES:   Right.

9             MR. PETKER:   One other thing that I didn't  
10    comment on is that it's starting to look like this is a  
11    great cost savings as far as closure goes also.   We had  
12    one operator tell me that if the test pad that he built  
13    continues and does work out, that he'll save up to  
14    \$20,000 an acre on his closure cost, which could save  
15    him millions of dollars.

16            MEMBER JONES:   Well, that's huge.

17            We got one more; right?

18            CHAIRMAN PENNINGTON:   Yeah.

19            MR. PETKER:   Is that it?

20            CHAIRMAN PENNINGTON:   That's it.

21            MR. PETKER:   Thank you.

22            MR. FUJII:   Okay.   In the laboratory  
23    services contract, it's a contract that's going to be  
24    used by both permanent enforcement and also waste  
25    prevention and market development divisions.   And for  
26    the permanent enforcement end of it, what we're going

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1 to be using it for is for doing -- providing laboratory  
2 services for the Board when we're acting as the  
3 enforcement agency or providing technical support for  
4 the local enforcement agencies when we have situations  
5 where sampling is needed to either get compliance from  
6 an operator or owner of a particular site, whether it  
7 be a landfill or a CIA type site.

8           The sampling probably would include things  
9 like soil gas, ambient air sampling, leachate gas  
10 condensate, flue gas, soil water, waste water, so on  
11 and so on. The idea behind this is that when we're  
12 working with our local enforcement agencies in trying  
13 to get compliance from the operators, we can go ahead  
14 and either provide the services, either take the  
15 samples ourselves, to either verify sampling that's  
16 being done by the operators, or take samples in  
17 preparation for taking some kind of enforcement  
18 actions, to document that enforcement action is indeed  
19 necessary.

20           The second half of it, the markets division,  
21 dealing with, would do things like insure performance  
22 of recycled content products by providing quality  
23 assurance testing, and then also to ensure continued  
24 availability of newsprint testing.

25           And I think probably one of the markets folk  
26 could speak a little bit more to that if you had some



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1 questions about that, but I'd be happy to answer any  
2 questions about the P&E part of it right now.

3 CHAIRMAN PENNINGTON: Questions on that one?

4 MEMBER JONES: Mr. Chairman?

5 CHAIRMAN PENNINGTON: Yes.

6 MEMBER JONES: I'd like to make a motion  
7 that we adopt out of the IWMA fund Concepts Number 11  
8 and 12 for 15,000 and for 50,566.

9 CHAIRMAN PENNINGTON: Okay. I'll second  
10 that.

11 If there's no further discussion, will the  
12 secretary call the roll.

13 THE SECRETARY: Board member Eaton.

14 MEMBER EATON: Aye.

15 THE SECRETARY: Frazee.

16 MEMBER FRAZEE: Aye.

17 THE SECRETARY: Jones.

18 MEMBER JONES: Aye.

19 THE SECRETARY: Chairman Pennington.

20 CHAIRMAN PENNINGTON: Aye. Okay.

21 All right. Do you all think we've earned a  
22 lunch break? Okay. We'll break until 2:00 o'clock.

23

24

25

26 ///

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1 AFTERNOON SESSION

2 CHAIRMAN PENNINGTON: Okay. Let's come back  
3 to order here.

4 The last place we were, we finished with  
5 Item 12. Next is local government diversion and  
6 assistance.

7 Let me do a little housekeeping. I forgot  
8 to ask this morning if anybody had any ex partes. Does  
9 anybody have any ex partes this afternoon, or this  
10 morning, but we forgot. No?

11 Of course, if anybody wants to speak that's  
12 not part of the staff, you can get a speaker slip from  
13 the table back there. I don't see anybody that I don't  
14 know. Okay.

15 Local government diversion of assistance.  
16 Judy Friedman.

17 MS. FRIEDMAN: Yes. Good afternoon,  
18 Chairman Pennington and Board members. For the record  
19 I'm Judy Friedman, and I'm the team leader of the local  
20 government diversion assistance team and the deputy  
21 director for the diversion planning and local  
22 assistance division.

23 We're going to present the contract concepts  
24 that support the diversion assistance team priority  
25 action plan. It's kind of a mouthful.

26 As you know, the Integrated Waste Management

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1 Act requires that jurisdictions divert 50 percent of  
2 their waste stream. The focus of the link dat, as we  
3 call it, team is just that. That is, our vision is  
4 that 100 percent of cities and counties will divert  
5 50 percent in the year 2000. To achieve this vision,  
6 the plan sets forth aggressive performance targets.  
7 Target 1 is review jurisdictions' progress reports to  
8 determine which jurisdictions need assistance and what  
9 kinds of assistance is necessary.

10 Target 2 is enhance IWMB tools and  
11 assistance materials based on jurisdictions' needs.

12 Target 3, provide customized assistance for  
13 targeted jurisdictions. Those who are not on track  
14 first and foremost.

15 And Target 4, get targeted jurisdictions on  
16 track to reach diversion goals by providing tools and  
17 assistance.

18 And finally, we seek to reduce enforcement  
19 actions over time from through upfront assistance  
20 rather than back and enforcement.

21 The concepts we will be going over are  
22 necessary or the achievement of the priority area plan.  
23 We will not be able to meet all plan objectives without  
24 them. We will provide a description of the concept,  
25 relate the concept back to the -- the five plan targets  
26 I just described and identify customer serves and

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1 outcomes expected.

2 And now Pat Schiavo and Lorraine  
3 Van Kekerix, members of the link dat team will present  
4 the concepts.

5 MR. SCHIAVO: Thank you. Pat Schiavo of the  
6 office of local assistance.

7 I'd like to start out with Contract Concept  
8 Number 38, and it's workshops to disseminate assistance  
9 tools and this supports Targets Number 3 and Number 4,  
10 which are to provide customized assistance to local  
11 jurisdictions, as well as trying to get jurisdictions  
12 on track in meeting the year 2000 goal. The customers  
13 this contract concept is designed for are local  
14 governments, consultants, waste haulers, and  
15 businesses, and the desired outcome is to provide  
16 regional forms in which local jurisdictions. The  
17 regional form can be provided with various tools and  
18 assistance to help them expand existing programs or  
19 create new programs.

20 The money will be spent on coordination  
21 logistics and printing, and more specifically will be  
22 for brochure development, promotional materials,  
23 workshop packets, coordination of meetings, obtaining  
24 the site, as well as producing the video and copying of  
25 that video to disseminate to people who have interest  
26 but could not attend the workshops.



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1           The tools that would be disseminated at the  
2 workshops would be various case studies, the waste  
3 characterization database, various how-to guides,  
4 educational kits, some of our economic models as well  
5 as the facilitation of networking of the jurisdictions  
6 in those regions.

7           Item Number 40 would be the statewide  
8 conference waste prevention recycling, and this would  
9 support Targets Number 3, 4, and 5. It would be  
10 providing customized assistance to local jurisdictions  
11 once again, assisting local jurisdictions on getting on  
12 track for meeting the 50 percent goal in the year 2000,  
13 and ultimately reducing enforcement actions it would be  
14 taking.

15           The customer that are intended to be  
16 provided with service would be local governments,  
17 consultants, waste haulers, recyclers, and business,  
18 and the outcome would be more successful diversion  
19 programs implemented and increased diversion effort.

20           The money would be spent on coordination,  
21 logistics, promotion printing of materials to support  
22 this conference. It would be a large state conference  
23 dealing with a multitude of different subject matters.  
24 We would be inviting outside speakers to attend as  
25 well, and we'd try to network people from north of the  
26 state, the central area, the coastal regions as well as

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1 the more urban areas to share ideas and concepts.

2           Contract Concept Number 41 is titled,  
3 "Relative Effectiveness of Diversion Programs," and it  
4 supports four different targets. Target Number 2,  
5 which is to enhance the Board tools, provide customized  
6 assistance to local jurisdictions, helping  
7 jurisdictions get on track in meeting the year 2000  
8 goal, and reduce enforcement actions.

9           The primary customers would be local  
10 governments, consultants, and businesses, and the  
11 desired outcome is to assist local governments in  
12 evaluating diversion programs and implementing  
13 cost-effective programs in trying to meet the year 2000  
14 goal.

15           The money would be spent for consulting  
16 services, which would provide us information on what  
17 works and what does not work for particular  
18 jurisdictions and their various settings, looking  
19 at variables that would impact program operations as  
20 well providing information for consideration for local  
21 jurisdictions on what programs again would be most  
22 effective for the particular situation.

23           Contract Number 42 is an integrated database  
24 system, and the targets there would be four various  
25 targets that this would support. It would enhance  
26 existing Board tools, provide customized assistance to

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1 local jurisdictions, assist jurisdictions in getting on  
2 track for meeting the year 2000 goal as well as  
3 reducing enforcement actions.

4           The desired customers are local  
5 governments, consultants, haulers, businesses, the  
6 Board itself, Cal EPA and the legislature. The desired  
7 outcome would be to provide cost-effective reporting  
8 for local governments, time savings, and improved  
9 analysis by Board staff.

10           The money would be spent on consultation for  
11 programmers to develop the system. This was  
12 established based on an extensive pilot that we develop  
13 and were very successful with. It looked at combining  
14 the efforts of the disposal reporting system, solid  
15 waste information system, our landfill capacity system  
16 as well as our administrative fee system, and it was  
17 very successful, as I mentioned.

18           This would be providing us with a link to  
19 program data as well as numeric information as well as  
20 providing graphic depictions of the status of the  
21 state, help us discern which regions need the most  
22 assistance, show us what programs exist and where, show  
23 us where people are meeting the goals, where they're  
24 not meeting the goals, show us where waste is derived  
25 from and where it's flowing to, which landfills are  
26 receiving various waste from various jurisdictions, and

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1 it would provide us more accurate landfill capacity  
2 information.

3 Lorraine Van Kekerix will run through the  
4 next contract concepts.

5 MS. KEKERIX: Contract Concept Number 31 is  
6 computers for jurisdictions. It would help us to meet  
7 two of the targets within our plan, enhancing Board  
8 tools and customized assistance.

9 The customers that we see using this would  
10 be local governments, consultants, haulers, businesses,  
11 the Board, Cal EPA, and the legislature, and the  
12 outcome we're trying to achieve here is that  
13 jurisdictions will save time and money if they are  
14 provided with a simplified method for reporting goal  
15 measurement and diversion program information. The  
16 Board currently is looking at supplying LEA's with  
17 computers, and in the 97/98 year we directed some money  
18 to refurbishing Board computers for jurisdictions that  
19 we're dealing with over in diversion planning and local  
20 assistance, primarily the people involved in the  
21 disposal reporting system. This would build on that  
22 information, continue to refurbish Board computers,  
23 because a number of the jurisdictions do not have  
24 access to computers or the internet. The internet is  
25 one of the ways that we can most cost effectively get  
26 information out to people.



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1           It would also provide dollars for developing  
2   an electronic filing format for both disposal reporting  
3   and jurisdictions' annual progress reports to the  
4   Board.

5           Contract Concept Number 37 is developing  
6   case studies for jurisdictions. Again, this would meet  
7   multiple targets, enhance the Board's tools, provide  
8   customized assistance, and help get jurisdictions on  
9   tract. The primary customers here would be local  
10   governments, consultants, haulers, and businesses, and  
11   the outcome that we're looking for here is that we save  
12   jurisdictions time and money by developing case studies  
13   of successful programs so that they do not have to  
14   reinvent the wheel. This contract concept would allow  
15   us to do some detailed case studies. We anticipate  
16   that we would have 24 case studies, that these would  
17   compliment existing case studies that the Board has in  
18   house and some of the work that the local government  
19   and technical advisory committee is doing in terms of  
20   case studies coming out of the trash cutters award.  
21   Jurisdictions have told us frequently that they really  
22   would like to see some more in-depth case studies to  
23   help them in selecting the programs that are best for  
24   them.

25           Contract Concept 39 is cooperative  
26   marketing. This would help us to achieve three of the

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1 targets in the local assistance plan, customized  
2 assistance, getting jurisdictions on track, and  
3 reducing enforcement actions. The customers here would  
4 be local governments, consultants, haulers and private  
5 recyclers. And the outcome of this is we're looking to  
6 get more cost-effective programs and efficiency for  
7 assisting rural jurisdictions to get to 50 percent.

8           This contract concept is an outgrowth of  
9 work that has been going on at the Board for at least  
10 seven years dealing with rural jurisdictions. The  
11 purpose of this is to fund development of innovative  
12 world cooperative marketing efforts. The focus here is  
13 increasing collection of materials for delivery of  
14 materials to markets. We have market staff who are  
15 working on improving markets for materials. This would  
16 be the collection end. We are looking at focus on  
17 access to collection, access to processing equipment  
18 and access to services to broker and ship materials to  
19 market.

20           The contract concept is based on results of  
21 staff work that was brought to the local assistance and  
22 planning committee in January of '97. They pooled the  
23 work together with the help of an advisory group that  
24 included Board staff in many divisions, CRRRC, the  
25 UC Davis Center cooperatives, and RCRC.

26           The contract money would be used for seed

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1 money for innovative cooperative programs and/or  
2 purchase of equipment, or acquiring technical  
3 assistance for the innovative cooperative programs. We  
4 expect that there would be a competitive process, and  
5 that combinations of players could jointly apply for  
6 this money. Those players could include jurisdictions,  
7 haulers, recyclers and nonprofits. We would take a  
8 look at the kinds of applications that they had put  
9 together to see whether they met the factors that were  
10 identified in the staff work as being critical to  
11 success for cooperative, including willingness to  
12 cooperate, manageable size, pursuit of long-range  
13 funding, link to market development activity, and any  
14 others that the Board would direct us to include.

15           The next contract concept that we have is  
16 Contract Concept Number 28, to develop model planning  
17 documents. This would serve all of the targets within  
18 the local assistance plan, and the primary customers  
19 would be local governments and consultants. The  
20 outcome that we would look for here is better program  
21 tracking and reporting, and planning and implementation  
22 leading to more diversion.

23           This contract concept would implement some  
24 of the requirements in SB 988, should that be signed by  
25 the governor, which requires model revised planning  
26 documents and streamlined regulations. Jurisdictions

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1 have indicated to us over the years that they save 10  
2 and \$50,000 for each of the models that we have  
3 developed that they choose to use. It also reduces  
4 staff review time.

5 This one has not been recommended for  
6 funding by the executive staff, because there wasn't  
7 sufficient IWMA funding, and other things were higher  
8 priorities.

9 And the last concept contract that we have  
10 relates to economic models. These economic models  
11 would help us to achieve enhancing the Board's tools,  
12 customized assistance and getting jurisdictions on  
13 track. The primary customers would be local  
14 governments, consultants, haulers, and recyclers, and  
15 the outcome that we would like to achieve would be more  
16 accurate evaluations of programs, more diversion at  
17 lower costs, and increased supply of recycled materials  
18 for markets.

19 This is based on work that the Board has  
20 done on the automated diversion planning tool, the  
21 facility cost model, and collection cost model. Since  
22 those were put together we have had a number of  
23 technological kinds of changes, and some of the  
24 information is out of date.

25 This contract concept would allow us to take  
26 advantage of our new computer system, update the



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1 technology and the information, and make these easier  
2 to use. This contract concept is most appropriate  
3 under the Integrated Waste Management Account funding,  
4 and there weren't sufficient IWMA funds to fund this  
5 contract concept, and it's not recommended by exec  
6 staff.

7 MS. FRIEDMAN: This concludes our  
8 presentation, and we're available for questions.

9 CHAIRMAN PENNINGTON: Do you wish to do this  
10 as we did with the others, where we'll act on the IWMA  
11 account first, and then take up the RMDZ account?

12 If that's sufficient, I'd like to ask that  
13 on Item 31 I'd like to appropriate \$70,000, and I'd  
14 like to hold 15,000 for the 21st century project and  
15 15,000 for the tire project. I don't have any anything  
16 specific, but it just seems to me that we may need some  
17 money to do something, and both of those are vital  
18 projects, and I certainly would be willing to stipulate  
19 that if we didn't use that money that it would go back  
20 into Item 31.

21 I'll make that as a motion, if anybody wants  
22 to agree with me.

23 MEMBER EATON: And Mr. Chair that would --  
24 so the total amount would be -- that would equal the  
25 100,000 that was recommended?

26 CHAIRMAN PENNINGTON: Right. Right.

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1                   MEMBER EATON: Not the 150. So we're are  
2   working off the 100 figure. The 70 that you --  
3                   CHAIRMAN PENNINGTON: Correct.  
4                   MEMBER EATON: -- suggest would go to  
5   computers and 15 and 15.  
6                   CHAIRMAN PENNINGTON: Correct.  
7                   MEMBER EATON: And then nothing else out of  
8   the IWMA that was listed, 27, 28, or 29, would be  
9   funded?  
10                  CHAIRMAN PENNINGTON: That's right, because  
11   we don't have the money.  
12                  MEMBER EATON: Yeah, I'm just -- to clarify.  
13                  CHAIRMAN PENNINGTON: Yeah.  
14                  MEMBER EATON: I'll second that motion.  
15                  MEMBER JONES: Can I ask a question,  
16   Mr. Chair?  
17                  CHAIRMAN PENNINGTON: Sure.  
18                  MEMBER JONES: The 70,000 for the computers,  
19   whatever, are we going -- we going to have new contract  
20   concepts for those other two items; right? They're  
21   going to have placeholders. They're going to say  
22   15,000 of the 21st century. Maybe that's Contract  
23   Concept Number 70.  
24                  MS. FISH: Would you want to see contract  
25   concepts --  
26                  MEMBER JONES: I don't know. That's what

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1 I'm trying to find out.

2 MS. FISH: -- or would you just like them to  
3 come back with a proposal?

4 CHAIRMAN PENNINGTON: It would seem to me  
5 that they just need to come back with a proposal, if we  
6 find, as you guys are working on the 21st century and  
7 you need something, you've got some money there.

8 MEMBER JONES: Not a problem.

9 MR. CHANDLER: Mr. Chairman, I don't think  
10 this is a big issue, but, you know, you're putting  
11 15,000 towards potentially the tire report, yet we're  
12 dealing with IWMA funding. Normally we would use tire  
13 resources for anything related to the tire program.  
14 We've already allocated those dollars. So I'm not  
15 raising this in the way of an objection. I just want  
16 you to be mindful you're putting IWMA money into a tire  
17 related fund activity. I still think it's not  
18 inappropriate. I just want to make sure that, you  
19 know, traditionally we have done it the other way.

20 CHAIRMAN PENNINGTON: Well, leastwise, this  
21 way we know we have some money there, and, as I said in  
22 my motion, that I'd be willing to have it go -- revert  
23 back to Item 31 if we don't use it, or we can find  
24 money in the tire fund to do it. That's fine, too. We  
25 want to know that we've got some money there for those  
26 things.

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1 MR. CHANDLER: Okay.

2 CHAIRMAN PENNINGTON: Any further

3 discussion? If not, will the secretary call the roll.

4 THE SECRETARY: Board Member Eaton.

5 MEMBER EATON: Aye.

6 THE SECRETARY: Frazee.

7 MEMBER FRAZEE: Aye.

8 THE SECRETARY: Jones.

9 MEMBER JONES: Aye.

10 THE SECRETARY: Chairman Pennington.

11 CHAIRMAN PENNINGTON: Aye. Motion carries.

12 Okay. Discussion on the other items?

13 Item 37.

14 MEMBER EATON: Yes. Mr. Chair, I have just

15 a couple of general questions.

16 CHAIRMAN PENNINGTON: Sure.

17 MEMBER EATON: The workshops are going to be

18 spread around the state, as I understand, in ten

19 different geographical locations, and hopefully they

20 will coincide with our RMDZ type zones that where those

21 individuals would be invited into those workshops along

22 with some geographical kind of line; is that correct?

23 MS. FRIEDMAN: We would seek to coordinate

24 all those activities appropriately, correct.

25 MEMBER EATON: What troubles me is that we

26 have the workshop where ten are spread around the



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1 state, which I think is a very good idea, because we  
2 are actually going out into areas where we normally  
3 wouldn't go out and try to get to the smaller areas.  
4 We then have a statewide conference on waste  
5 prevention. Why couldn't those be made part and parcel  
6 either of a panel or a segment of those workshops that  
7 we're having in the ten different locales, and it seems  
8 somewhat inconsistent. We're going out into 10  
9 different areas and disseminatig information where we  
10 could actually have -- and then you're going to call  
11 them all back for a statewide conference of waste  
12 prevention. I mean, when you're out there why not do  
13 the work of a couple of things, even it the requires  
14 that you take a little bit longer, more than a day or  
15 two or what have, or a paenl. The same can go for a  
16 cooperative marketing when you go into the rural areas.  
17 It seems like the division of labor here, that all  
18 we're doing is burning unnecessary dollars. Also, it  
19 would be nice to get some information as to what's  
20 working and give that out in the workshops as to those  
21 kinds of situations.

22           So, as I look at it, 38, 39, 40, and 41, all  
23 relate to the same kind of activity, and, therefore,  
24 instead of trying to spend roughly 400,000 -- 600,000,  
25 you probably could do all of it for 200,000 and still  
26 have 400,000 in other arenas that you could do it. It

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1 doesn't seem to make much sense to go out and do tools  
2 and not provide all the other information, because some  
3 of it is very, very duplicative, or at the very at  
4 least, we could actually supplement some of that as  
5 well.

6 MR. SCHIAVO: No. We agree with you, and  
7 maybe we just need to provide more clarity.

8 The workshops, the reason we would do them  
9 in 10 regional areas is so that we could gear them to  
10 the specific needs of each of the particular regions,  
11 and we would also include information on waste  
12 prevention at those workshops. The reason for the  
13 statewide conference is that while we would provide a  
14 regional flavor and provide information specific to  
15 those target regions, we would also want to have a  
16 statewide conference where we could be more -- a  
17 broader prospective or we could bring people together  
18 from all over the state at one particular area where  
19 people could be together from the coastal areas as well  
20 as from mountain areas, because they're still going to  
21 have a lot of commonalities, and this provides that  
22 opportunity.

23 The Item Number 41, that information we  
24 would like to provide at these workshops, and the idea  
25 is to have that information completed and disseminated  
26 at both the statewide and the regional workshops.

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1                   Another thing we have found is that we have  
2   a tendency to provide well developed tools and models  
3   and we promote them at a one-time workshop, and we need  
4   to constantly provide that information to the people,  
5   because sometimes the timing's not right. Sometimes  
6   people hear things, but they don't focus on it enough,  
7   so you have to -- much like a commercial, you have to  
8   repeat the information to them.

9                   So that was the idea of the statewide on top  
10  of the regional workshops.

11                  MEMBER JONES: Mr. Chairman.

12                  CHAIRMAN PENNINGTON: Yes.

13                  MS. KEKERIX: Can I answer one additional  
14  question on cooperative marketing?

15                  What we're talking about on the cooperative  
16  marketing is providing money to various groups for them  
17  to do cooperative marketing, not to have a conference  
18  on it. So this would be, if a group of people wanted  
19  to get together to come in with a request for an  
20  innovative proposal for doing a cooperative collect  
21  materials, then they would get money to do that. It  
22  wouldn't be Board staff or a contractor charged to do a  
23  certain piece of work. It would be a competitive  
24  process for groups of people to get money to actually  
25  do collection.

26                  MEMBER JONES: Collection material or

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1 delivery of material to markets?

2 MS. KEKERIX: Both.

3 MEMBER JONES: Because they've got programs  
4 to collect it. If they can't get it to the markets,  
5 then it's only a truck that --

6 MEMBER EATON: How many meetings have we had  
7 with the marketing people on this?

8 MS. KEKERIX: There have been meetings that  
9 have been ongoing since 1990, and the staff have worked  
10 together --

11 MEMBER EATON: Okay, but shouldn't the  
12 markets division know where they need to get to markets  
13 so we don't have to go out and do this kind of work and  
14 doing a planning document, and this is in the sense  
15 that if we have a markets people whose expertise is to  
16 find markets or to do market kind of surveys and  
17 research, which we have approved already, what does  
18 this get us that we already don't have by just walking  
19 across to a different floor and saying, you know, where  
20 is it that we have to be for these co-ops, for the  
21 cooperative marketing approach? We did a study back in  
22 1991, and it's been updated. I'm just having a hard  
23 time. It's kind of like we don't know what the right  
24 hand and left hand is doing.

25 MS. KEKERIX: This is for establishing  
26 cooperatives, not studying it. We have studied it a



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1 number of times, and the market staff were heavily  
2 involved in the study as well as a number of the other  
3 groups. So what this would be, would be to actually  
4 fund cooperative.

5 CHAIRMAN PENNINGTON: The local rural  
6 governments and haulers have come to us on several  
7 occasions saying that they're having a problem, where  
8 they might have a small amount of the marketable  
9 material, but they need to combine to get it to the  
10 market and get to a volume where it has some economic  
11 value, so they've asked us for their help, and I think  
12 this is what this particular thing is.

13 MEMBER EATON: But I'm hearing grants and  
14 other things, and I have worked with co-ops, and I've  
15 worked with the National Association of Cooperatives.  
16 I helped set up the cooperative bank. There's  
17 organizations already out there, and I think that in  
18 39 -- can you call it up again on the point? What the  
19 goals or whatever would assist in. You know, where you  
20 listed where it would be a benefit with regard to --

21 CHAIRMAN PENNINGTON: 39.

22 MEMBER EATON: -- targeted.

23 MEMBER JONES: While they're getting through  
24 the targets, this was an item that gives me  
25 heartburn --

26 MEMBER EATON: Right there. You had 39?

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1 No. That's the one for 39 I want.

2 MEMBER JONES: Back up a couple.

3 MS. KEKERIX: Well, 39 is --

4 MS. FRIEDMAN: They're not in order. There

5 it is.

6 MEMBER EATON: How does it reduce

7 enforcement actions?

8 MS. KEKERIX: One of the things that the

9 rural --

10 MEMBER EATON: I mean, if the idea is to get

11 to market, what are we doing to reduce -- I mean, I'm a

12 little of confused.

13 MS. KEKERIX: Rural jurisdictions have

14 identified that this is an issue that they will be

15 unable to meet their diversion goals, 50 percent, or

16 reduce goal, if they happen to have that, unless there

17 is some assistance on getting the collection system for

18 delivering things to market, and that might be better

19 handled in a cooperative manner, so that they worked

20 together, and they're looking -- they're looking to put

21 together some innovative proposals on how to get those

22 materials to market.

23 CHAIRMAN PENNINGTON: What they're saying --

24 MEMBER EATON: It just would seem to be a

25 more appropriate request from the markets department,

26 because that's their job and their responsibility. If

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1 the whole idea is that we've had problems getting stuff  
2 to market, I would say the we've --

3 CHAIRMAN PENNINGTON: Probably an  
4 interjurisdictional deal, because the local assistance  
5 people are trying to help out.

6 MS. KEKERIX: That's one of the things that  
7 over the years the two divisions have worked together  
8 on this, the cooperative marketing staff report that  
9 was put together had the input of both divisions in it,  
10 and this is a recommendation that's coming out of that  
11 work.

12 MS. TRGOVICH: Members -- Caren Trgovich  
13 with Waste Prevention and Market Development. Maybe  
14 I'll try to summarize from my prospective in probably a  
15 simplistic way and I hope, Steve, not a five year old  
16 way. Please slap me if it sounds like that. The  
17 delineation that we see between the divisions is that  
18 the diversion planning and local assistance division  
19 focuses on the supply end, so they're looking at  
20 collecting the materials, getting them out of the waste  
21 stream. We see our role as then, what do we do with  
22 those materials and moving them into the marketplace.  
23 We have a coordination role because you can't take  
24 something out of the waste stream if it doesn't have a  
25 market, because it ends up in a landfill. So there's a  
26 distinct coordination role there.

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1 MS. FRIEDMAN: If I may add --  
2 Judy Friedman -- this is a proposal that is an  
3 integrated proposal. We're looking for and have been  
4 for several years, in terms of the study of this  
5 particular issue and in the recommendations. We're  
6 fully integrated in the proposal here.

7 MEMBER JONES: I think one of the issues --  
8 this has never been one of my favorites, because when  
9 it was first done it was actually socialized  
10 collection, because they wanted to share customer  
11 lists, and it's come a long way, because, you know,  
12 I've always said the only hamper -- you know, I got  
13 RCRC's members, and when RCRC represents their  
14 membership, they have to bring their things forward. A  
15 lot of their members have programs that well exceed the  
16 mandate number that we're supposed to be at now. They  
17 have markets. Then there's jurisdictions that don't --  
18 that are a long, long way from markets that look at  
19 this as maybe being a way to do it, but I always  
20 thought the only thing that hampers them from getting  
21 their materials to market is the cost of that  
22 transportation. It's what makes it, you know,  
23 economically not viable.

24 When you start doing combines on recycled  
25 material -- recovered materials, and I've made the  
26 argument 1,000 times, and I'll make it again, you have



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1 an operator that has a high level and a clean product,  
2 and when a dirtier, less screened material goes on that  
3 same trailer, the guy that puts in less efforts  
4 benefits, because they look at that load and price it  
5 for the whole load. So the guy that put the effort in,  
6 his value goes down. The guy who didn't put the effort  
7 in, his value goes up based on the quality of material  
8 for the whole load. It's a tough piece to deal with,  
9 because I could never make it happen within my own  
10 companies. So, you know, RCRC says they need it.

11 I have a question on it -- if it's okay, I'd  
12 like to move off of 39 just for a minute. The workshop  
13 to disseminate these tools, the statewide conference on  
14 waste prevention recycling, the relative effectiveness  
15 in diversion programs. Those all -- I agree with  
16 Mr. Eaton -- those could all be -- it would seem to me  
17 they could all be combined. And I think in the  
18 combining those programs, I had asked a year and a half  
19 ago if we could do a festival prior to having to  
20 implement AB 939 on the -- having to implement it on  
21 the enforcement side. It made sense if we could put  
22 something together statewide and let people kind of  
23 draw from each other's successes and failures. Exactly  
24 what that level has to be, I don't know, but there is  
25 one thing I definitely want to see that isn't in these  
26 concepts. When we talk about waste prevention and

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1 recycling programs and expected outcome is to increase  
2 the supply of recycled material for the markets, that's  
3 part of the problem. Part of the problem is is that we  
4 get all this material there, but we don't have anybody  
5 on the other side demanding materials made with  
6 recycled content product. So I think the only way htat  
7 this works in any mind, Item 40 and the rest of them,  
8 is not to just have a statewide conference on waste  
9 prevention and recycling program, but on buy recycle,  
10 on procurement practices, because it can't be our goal  
11 to just keep putting this stuff in warehouses. It has  
12 to be our goal to keep, you know, doing everything we  
13 can to get cities, counties, businesses, everybody to  
14 start incorporating that into that into their  
15 practices, and if that was included where we gave a  
16 full scope, I'd have more of a comfort level with it.

17 MEMBER EATON: There is. If you go to your  
18 next page on your sheet, you'll see there's \$100,000  
19 for another conference on buy recycled.

20 MEMBER JONES: Right.

21 MEMBER EATON: So my point is in the  
22 economies of scale, doesn't it make greater sense to  
23 allocate a certain amount of money and then say and  
24 direct the staff under the concept that, "These are the  
25 elements we want in," such as what you had talked about  
26 in terms of, you know, buy recycled instead of each one

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1 being separate, and then you get nickled and dimed.  
2 All of a sudden you're spending 600,000 when you really  
3 should only spend for a quality product 2- or \$300,000.

4 MEMBER JONES: I agree with you.

5 MEMBER EATON: And Mr. Chair, with regard to  
6 another point that I'm trying to make, is if there are  
7 specific individuals or specific areas where we know  
8 there are certain types of the products that are not  
9 getting to market or need to get to market, then rather  
10 than trying to go through what we're going to do here,  
11 why don't we just fund a demonstration project so that  
12 we've got something to work on and put our emphasis  
13 there and fund the demonstration project so we can get  
14 those to market and use that as an example. I agree  
15 with you. If people are having trouble with the  
16 market, we should do everything we can, so let's put  
17 our money there. I don't know if the demonstration  
18 project is the right terminology that we use, but, you  
19 know, instead of trying to go through it, if there are  
20 specific products, let's go there with those products.  
21 Let's get them there. Let's just bypass, you know, all  
22 the mumbo jumbo and let's get right to it.

23 MEMBER JONES: On that same line, okay.  
24 Maybe it wouldn't be called -- maybe this isn't a  
25 demonstration, but let's say that Modoc County --  
26 Modoc County does steel recycling. It's the biggest

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1 part of the waste stream they recycle. They get all  
2 the guards. They get all the metal at that landfill.  
3 They crush it. They need a way to get that material to  
4 market. If you look at a map where Modoc is, it's  
5 tough. Now, they can do the collection and the  
6 processing. Is it -- and I think this is what I had  
7 hoped we would do, and I think Mr. Eaton and others,  
8 you know, that we could talk about this, is it possible  
9 that this money the gets put aside and when an issue  
10 like that comes forward and we promote the market but  
11 maybe issuing a 50/50 grant on a piece of equipment to  
12 a county? Is that the appropriate way to spend the  
13 money if it's going to deal with a rural jurisdiction  
14 that has obstacles in its way? The obstacles, they  
15 can't afford to buy a truck and a trailer.

16 MS. FRIEDMAN: If I could respond, that is  
17 precisely what Ms. Van Kekerix was talking about in  
18 terms of seed money for those ideas. We're not  
19 limiting it to just that, because we're look for people  
20 to have innovative ideas, but that's exactly the kind  
21 of thing we were talking about.

22 MEMBER JONES: I don't know. Is that --

23 MEMBER EATON: And there's other things.  
24 You mentioned transportation. We could be using part  
25 of that 300,000 to either provide them with a  
26 transportation credit or transportation system or



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1 assisting some way in a grant or a --

2 MEMBER JONES: Buy them a truck give and  
3 give them a half, give them a quarter.

4 MEMBER EATON: -- whatever, a match  
5 agreement, and those are the kinds of things which this  
6 money should be going for, because those are the types  
7 of things we're looking for. That's all I'm getting  
8 at. I don't think they're bad ideas. I think we just  
9 need to sort of -- not study, but let's just get down  
10 to see what we have.

11 MEMBER JONES: That works.

12 MR. SMITH: I think the purpose is to let  
13 the jurisdictions tell us what those ideas are, rather  
14 than us tell them, you know, what they should be doing.

15 MEMBER JONES: Right. But we don't have  
16 that mechanism set up that we're not -- we're not  
17 sure -- I know some of us aren't exactly -- I'm not  
18 sure. Put it that way. If Modoc went to the Waste  
19 Board and said, "Look, I think I can take care of my  
20 marketing problem if I had a truck," I'm not sure I  
21 know that we would listen to that. If we accept this  
22 contract concept and know that that's part of it, then  
23 I would have a comfort level in telling Modoc County,  
24 "Deal with a proposal. Give it to the Waste Board.  
25 See if there is a way that you can do a match."

26 MR. SMITH: I would presume that those like

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1 expenditures in our other programs would come back  
2 through the Board.

3 MS. KEKERIX: We expect that if we have to  
4 put a program of this sort together, that we would have  
5 criteria, and I have down here things like matching  
6 funds, in kind services, whatever other criteria the  
7 Board wants us to -- have these people meet when they  
8 apply for such funds.

9 MEMBER EATON: Do we have any input from the  
10 local jurisdictions as to what they need?

11 MS. KEKERIX: We have some input from some  
12 jurisdictions. Now, the problem is --

13 MEMBER EATON: Do we talk to local  
14 jurisdictions?

15 MS. KEKERIX: -- that it is approximately a  
16 year and a half old. So since things change over time,  
17 I could give you an example or two. Some of the  
18 existing cooperative are looking at the possibility of  
19 expanding to serve some additional areas, and that  
20 might be something that could be funded, too. They  
21 might be some additional equipment. There's some  
22 existing cooperatives that are looking at maybe being  
23 able to expand if they had some mobile bailors or other  
24 types of equipment of that sort that could them.

25 MEMBER EATON: But that's a specific kind  
26 of -- what Mr. Jones is trying to get at, not any of

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1    this kind of, you know, like sort of planning stuff,  
2    but actually, you know, putting dollars there. I find  
3    it hard to believe that, you know, first off, there are  
4    case studies already out there and good programs,  
5    because otherwise we wouldn't approve, or we wouldn't  
6    give people awards here at the Board every Board  
7    meeting if we didn't know who's doing the job and who  
8    isn't, first and foremost. So I've got to believe we  
9    already have the information, so why do we have to go  
10   out and pay someone to go out and tell us what we're  
11   doing and who's doing it well?

12               MR. SMITH: Are we still on 39?

13               MEMBER EATON: I'm talking just generally,  
14   because it all fits together.

15               MR. SMITH: We do not get detailed and  
16   specific implementation documents. We get a listing of  
17   the programs that are implemented. The results --

18               MEMBER EATON: Who's we? Which department?

19               MR. SMITH: This group here. We do not get  
20   a case study --

21               MEMBER EATON: Does any other group -- any  
22   other group in our organization get that kind of  
23   information?

24               MR. SMITH: This organization gets --  
25   anybody in the organization has access to that. We are  
26   not -- we are trying not to work in silos here. If the

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1 information is in DIPLA, it's available to anybody  
2 anywhere. That's the purpose of these cross-functional  
3 teams is to try and integrate and bring all of these  
4 disciplines together and not working in silos. So I  
5 would say, yes, there is a site within the Board, not  
6 within DIPLA, not within markets, not within P&E. This  
7 is Board information, usable by and integrated by all  
8 of the rest of the divisions. That's what the whole --

9 MEMBER EATON: So our demand side, which is  
10 markets, should know which products need to get to  
11 market?

12 MR. SMITH: I would hope.

13 MEMBER EATON: Okay. If that be the case,  
14 then why are we going out and looking to try and figure  
15 out ideas as to who needs to get to market? Why not  
16 just get the market people together with the supply  
17 people and say, "What is it you need to get to market,  
18 and what kind of tools do you need to get there?" And  
19 We pay for that, or we subsidize that, or we grant  
20 that. That's what I have a hard time understanding for  
21 this kind of money.

22 MR. SMITH: The purpose of the --

23 MEMBER EATON: You can only study things so  
24 many times.

25 MR. SMITH: The purpose -- these are not  
26 studies. The purpose of this is to partner with our



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1 local partners, the people who are on the ground doing  
2 this, and in this specific area, we know -- in general  
3 terms, in this specific in conjunction with our local  
4 partners so that we are not telling them. They are  
5 working with us to decide what it is they want. I  
6 believe that's what this is about so that we are not --  
7 yeah, handing them an X, Y, and Z when they need an A,  
8 B, or C, and I think that's what I -- my reading of the  
9 contract concept is. It is for and by the partners  
10 that we work with out there.

11 MEMBER EATON: Go ahead, Mr. Chairman.

12 CHAIRMAN PENNINGTON: Why don't we look at  
13 this one. I agree with Keith that I think it's more  
14 what you really are looking for, and that is to put  
15 money out in the field to get the job done, not another  
16 study.

17 MEMBER EATON: And furthermore, I find it --

18 CHAIRMAN PENNINGTON: That's it.

19 MEMBER EATON: Well, that's part of it, but  
20 I find it hard to believe that we give an award for  
21 programs up here, you know, for jurisdictions that  
22 either met their goals, and then we've got to go out  
23 and pay another contractor to tell us who's doing a  
24 good job. It doesn't make sense. Doesn't our staff,  
25 as a whole, in one of the departments knows which kind  
26 of diversion programs are working and how they're

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1     working? And if we do know that, then why aren't they  
2     going to workshops and teaching the others? That's my  
3     point. I'm not going to have somebody go read 24 case  
4     studies. Keith, you know that ain't going to happen in  
5     the local jurisdiction. What you have to do is you  
6     have to go out and teach them. Did you ever learn a  
7     job without someone teaching you, or did they give you  
8     a manual and say, "Here. Go do your job"?

9                 MR. SMITH: And that is exactly what we  
10    intend to do, but we don't --

11                MEMBER EATON: But it's not here in the  
12    documents.

13                MR. SMITH: We do not go in there with just  
14    simply, "Here's Alameda County who's got a great  
15    organics program. What does the organics program  
16    consist of?" Then you're right. A piece of paper will  
17    not do it. I absolutely agree with you.

18                MEMBER EATON: Then take them on the road to  
19    the ten different jurisdictions and show them where to  
20    go.

21                MR. SMITH: That's exactly what we will be  
22    doing.

23                MEMBER EATON: But you can conclude all the  
24    others with it, and you don't need a separate \$100,000  
25    to do the buy recycle. You don't need another \$200,000  
26    for a statewide conference on waste prevention because

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1     you've got them all there at the same time.

2                     MEMBER JONES:   Add them together instead of

3     spend 5, spend 2.

4                     MEMBER EATON:   Right.

5                     MEMBER JONES:   That'll work.

6                     MR. SMITH:     That will work.

7                     MEMBER JONES:   One thing that I want to add,

8     because I think that on the -- much to the chagrin of

9     staff sometimes, when they talk about presenting case

10    studies and making evaluations of what works and what

11    doesn't work, I have a problem with that, because

12    unfortunately in this business, the type of equipment

13    you run, the type of terrain that you are involved in,

14    the type of economic community that you're in, no two

15    programs are the same.   No two programs work the same.

16    I mean, Los Altos Hills, the only way we could deal

17    with them was to do a background recycling program

18    where they spent \$6 a house.   Just down the hill from

19    them, we couldn't get 72 cents to do a curbside

20    program.   They were within two miles of each other.   I

21    mean, border to border.

22                     So I'm not sure.   You know, I would put my

23    experience up just about -- you know, I think I'm kind

24    of in the middle of the pack as far as having

25    experience with these things.   I couldn't look at a

26    jurisdiction on the piece of paper and say what will

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1 work and what won't work, and it's hard for us to even  
2 evaluate somebody that's saying that their program will  
3 work or doesn't work, and that's going to get into a  
4 whole other issue with, when the biannual reviews come  
5 in and we start looking at people that have identified  
6 programs in the SRRE, and they say, "We do a curbside  
7 program," we have to ask a question. How many items do  
8 you pick up in that curbside program? It's not just  
9 the fact that you have a curbside program. It's, how  
10 effective is the program? What do you pick up? How  
11 many days a week are you out on the road?

12 MR. SMITH: That is exactly what a case  
13 study is. It is the circumstances in which you're  
14 operating, economic, geographic, environmental,  
15 whatever. It is the structure of the program. It is  
16 all the things you've mentioned, and you're right. You  
17 can't pick an organic program up and say it will work  
18 here and it will work there without understanding all  
19 those other aspects. That's what a case study is, but  
20 it's also what, for instance, the tier group is  
21 carrying out there and using right now. When Arcata  
22 asked them in to look at their collection program --  
23 they have a collection program in place, and the tier  
24 group was able to point to other types, examples, and  
25 methods of a curbside collection program, and according  
26 to Arcata City Council, possibly save -- what was the



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1 figure? Up to \$100,000 and increase based upon a  
2 knowledge we had of similar programs of that type but  
3 not exactly done the same way. That's what this is  
4 exactly about is for us to be able to walk into those  
5 jurisdictions with some more in-depth knowledge that we  
6 have now. What we get in our biannuals is, "Here are  
7 the programs we've implemented. Here are the results."  
8 We have to know more of the details, and it is a labor  
9 intensive process on someone's part. We're trying to  
10 take partners. That's what we asked Lab Tech to do and  
11 do some leg work with us, but we need more of those.

12           Listening to the union lady, are these  
13 things we could do? Of course, they are. Of course,  
14 they are, but we simply at this point do not have the  
15 staff to do it. It is an absolutely necessary  
16 function. if we're going to spread the best practices  
17 that we can find, and there may be a dozen different  
18 depending on the circumstances, and spread those  
19 across. It is the opposite of focusing on the poor  
20 performers and dealing with those one by one. It's  
21 taking the best performers and trying to spread that  
22 knowledge and information as widely as we can.

23           I agree with what you said about the forums.  
24 I don't disagree with that, but creating in our hands,  
25 all bringing the expert practitioners of those who are  
26 doing it to such a forum is the way to do it, and I

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1 agree with you. Bring them in but find that they are  
2 real, because what we hear from our customers is that  
3 there's a lot of B.S. out there, people claiming stuff  
4 that isn't really so, and part of the case study is  
5 establishing is it really so.

6 MEMBER JONES: You hear that from the Board,  
7 too.

8 MR. SMITH: I hear that from the Board, too.

9 MEMBER EATON: And that may be a difference  
10 in the difference of a philosophical approach, because  
11 I believe that an organization ought to develop its own  
12 expertise, and the only way to develop the expertise is  
13 if our staff and our staff resources go to learning  
14 about how it's done, because then you don't have to go,  
15 and what you're proposing to do in this is to go  
16 outside and get someone else to make the evaluation. I  
17 don't believe that's how you develop an organization or  
18 you develop an expertise within your organization, and  
19 if that's why we're in here for the long term, then  
20 that's what we ought to be doing. So that may be a  
21 philosophical difference, and I'll grant you that.

22 MR. SMITH: No. I would agree with you.

23 CHAIRMAN PENNINGTON: Let's try to get this  
24 solved here. Where do we want to get on this?

25 MEMBER EATON: And I just have one other  
26 point. I find it very difficult to understand that

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1 here is a local government diversion assistance, and I  
2 understand, at least under AB 939, what is the  
3 hierarchy? What's the number one? Reuse, isn't it?

4 MS. FRIEDMAN: Source reduction.

5 MEMBER EATON: It isn't reuse? Part of it?

6 MS. FRIEDMAN: Part of it, yeah.

7 MEMBER EATON: There's nothing in here about  
8 reuse.

9 MS. FRIEDMAN: If I could clarify, all of  
10 these things would include all diversion and source  
11 reduction programs. We're not excluding any part of  
12 the hierarchy.

13 MEMBER EATON: I have yet to see anything  
14 with reuse on this Board since I've been on it.

15 CHAIRMAN PENNINGTON: Let's try to get where  
16 we want to go on this now.

17 I take it you'd like to combine some of  
18 these workshops and conferences; correct?

19 MEMBER EATON: I think what we do is we  
20 allocate approximately \$100,000 to the cooperative  
21 marketing in condition upon the fact they come back  
22 with some specifics, sort of along the lines of what  
23 Mr. Jones had discussed, and then combining all of the  
24 others for approximately \$225,000 in order to put on  
25 conferences, whether they be statewide or regional that  
26 would include the components both with regard to what's

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1 here in 37 through 41, as well as number 53 in the buy  
2 recycled.

3 CHAIRMAN PENNINGTON: How much did you say?

4 MEMBER EATON: 225.

5 MEMBER JONES: Okay. 37, 38, 40?

6 MEMBER EATON: 40.

7 MEMBER JONES: And 41?

8 MEMBER EATON: Um-hmm.

9 MEMBER JONES: And that's it. 41. And then  
10 what was the other one, Mr. Eaton?

11 MR. SMITH: 53.

12 MEMBER EATON: 53, 'cause that was another  
13 conference, and that was the subject matter you were  
14 talking about.

15 MEMBER JONES: Right. Right. 53. So we've  
16 got --

17 MEMBER EATON: 325,000. 225. Then 100 for  
18 cooperative.

19 MR. SMITH: Right. Right.

20 MEMBER JONES: It's 562, would be the total  
21 for all those. If we cut it down to 225 or 250 --

22 MEMBER EATON: No. 225 is what you allocate  
23 for that.

24 MEMBER JONES: 225 for those five items.

25 MEMBER EATON: And then for the cooperative  
26 marketing would be 100,000.



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1                   MEMBER JONES: Okay. If we're going to look  
2 at giving grants for equipment and stuff, could that  
3 number go up to 200,000?

4                   MEMBER EATON: Oh, absolutely.

5                   MEMBER JONES: Because you can only get  
6 one --

7                   MEMBER EATON: On the cooperative?

8                   MEMBER JONES: Yeah.

9                   MEMBER EATON: Oh, absolutely. Sure. So  
10 make that 200 for cooperative, and then 225 for the  
11 conferences, and I would just ask the Board's  
12 indulgences with regard to integrating the selective  
13 databases that, as I mentioned to some of you  
14 individually, I have had the pleasure of meeting with  
15 outside vendors who have informed me that basically  
16 what we're trying to do here is trade a warehouse of  
17 data and then have a program for mining that data to  
18 give us some trends and integrate. Companies such as  
19 Silicon Graphics, and I don't have any -- that's the  
20 only one I'm quite familiar with, although I have  
21 contacted others -- have all these programs already in  
22 place where the data's already there. They have the  
23 programs that were integrated and capture it and, on  
24 top of it, train your employees as part of the whole  
25 package price to learn how to use this formation at  
26 about a third the cost, and I would just ask that we

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1 just reserve and not take up that item, but hold it in  
2 abeyance until this Board, in a way that's appropriate  
3 with legal counsel, can have presentations made by a  
4 number of these companies which are out there doing the  
5 work, and more importantly are doing the work in other  
6 state agencies. So it's not just something that came  
7 to us because we happened to meet the person on the  
8 street or known about it, but are actually doing the  
9 work in other state agencies that are far ahead of the  
10 curve. And with training and those kinds of things,  
11 it's a package deal.

12 MEMBER JONES: I don't have a problem with  
13 that. I'd second that if you guys think you could get  
14 the job done. I really think you could. You just have  
15 to put some things together and try to get it done in  
16 two.

17 CHAIRMAN PENNINGTON: So we're talking 425.  
18 That's 225 for Items 3, combined Items 37, 38, 40, 41,  
19 and 53, and 200 for the cooperative marketing.

20 MEMBER EATON: Correct. Along the  
21 parameters as set forth by Mr. Jones with regard to the  
22 cooperative marketing.

23 CHAIRMAN PENNINGTON: Okay. Do you know  
24 what those parameters are?

25 MR. CHANDLER: Judy, I missed obviously the  
26 discussion, but what was the staff's approach on how

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1 you were going to proceed with getting these databases  
2 integrated? If it wasn't to begin surveying the  
3 potential qualifications out there, and I guess what  
4 I'm not getting is, what's inconsistent about what was  
5 proposed and what is being asked for? Why don't you  
6 just catch me up to speed real quick.

7 MS. FISH: It was a combination of  
8 procurement, actual procurement of equipment that would  
9 be needed, as well as then a -- actually a CMAS vendor  
10 to bring in a vendor for the period of a couple years  
11 in order to do the actual integration work here at the  
12 Board. So it would be using general services lists to  
13 bring in somebody under our direction, because a  
14 considerable amount of work had already been done on  
15 the pilot itself in order to set -- lay the ground work  
16 for the integration, and I think we've seen some  
17 proposals on how we would do that, and there is just to  
18 actually accomplish the actual work itself with the  
19 procurement side, but we could come back with a more  
20 formal demonstration on exactly what we're proposing.

21 MR. CHANDLER: I'm not hearing that you  
22 really want that.

23 MEMBER EATON: That's correct. I think that  
24 we ought to take a look at what the products are out  
25 there, and that there are stuff that's already there.

26 MS. FISH: And we could also incorporate

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1     some alternatives.

2                   MEMBER EATON:   But I also think that it's  
3     very important for the Board and the staff to see some  
4     of the cutting edge stuff that's out there, and the  
5     other agencies are using that cut down on all of the  
6     overhead costs that deal with that, and after all, part  
7     of the key component here is we've gone down the road  
8     in a previous Board item.   We found out that after we  
9     did some of the integration in the program it was never  
10    used by our staff, and then when asked, because there  
11    was no training.   Some of these companies are willing  
12    and they're getting on the GSA, or on the General  
13    Service List, to do this work in the mining aspect of  
14    it, in this contract concept it talks about it will  
15    help you with trends.   This kind of programming that's  
16    already a packaged programming.   It's not like somebody  
17    can buy a computer, but that they've developed, already  
18    gives you a certain kind of three-dimensional graphic  
19    representation so that you can actually pull the  
20    trends, and it would save staff time and save staff  
21    energies and also part of the technical staff from  
22    integrating some of it, 'cause really, we're talking  
23    about warehousing the data.   It's computer technology  
24    and having it integrated and letting them try and  
25    figure out what the problems are, because we do have a  
26    very good system, and I just think that that's kind of



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1     where we were, and the Board ought to see what's out  
2     there.

3                   MR. SCHIAVO:  I'd just like to mention that  
4     we, in the pilot tests that we ran, we showed that it  
5     was -- we demonstrated that it was very successful, and  
6     we already do have the software on board here, so it's  
7     not the creation of the software.  What it is, is  
8     trying the to bring together the terminologies because  
9     there's different terminologies with different  
10    databases, the different protocols used in the  
11    different databases converting over from various  
12    formats that we have.  It's more of internal  
13    programming that is very customized to us and that  
14    cannot be applied to other state agencies.

15                   As far as the GIS mapping, we already have  
16    access to that.  We did apply it, and it was very  
17    valuable for the period of time that we had, but we  
18    didn't maintain it because of resource constraints, and  
19    we didn't go forward, 'cause we didn't have the money  
20    to program it to completion.  So it's more -- that's  
21    more the issue -- it's not -- an outside vendor could  
22    not provide us that because we already do have the  
23    capabilities.  We have the server that would work with  
24    it, and the linkages, the terminology, the protocols.  
25    That's our biggest area right now.

26                   The pilot took us approximately 5- to 600

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1 hours between our division and working with IMD, so  
2 it's probably -- you know, a few hundred dollars an  
3 hour is probably 50, \$60 to create the pilot.

4 MEMBER JONES: Mr. Chairman.

5 CHAIRMAN PENNINGTON: Yes.

6 MEMBER JONES: We've got -- I think that the  
7 issues that both sides are talking about here can be  
8 resolved in time. I mean, we have three years to spend  
9 this money. This isn't like this is going to make the  
10 difference between somebody making 50 percent and not  
11 making 50 percent, so if it takes a little bit of time  
12 to get that worked out and find the information, I  
13 think we ought to do it.

14 Mr. Eaton made a motion. I made a second,  
15 but I do have a question. I'm sorry.

16 When we talked about economic modeling on  
17 29, and it was not an item that was brought forward  
18 to -- it's not recommended. I'm not recommending it  
19 either, but I want some thought to go into the idea, is  
20 there value in offering a service to do economic  
21 modeling for manufacturers of new products to try to  
22 integrate, recover material and new material, as well  
23 as packaging alternatives? Is there value at this  
24 Board to have a pool of money and the expertise to be  
25 anal to offer that and make it available to  
26 manufacturers in the state of California if they want

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1 to take advantage of it? Is it something that we maybe  
2 need to talk about a little bit? Because I've brought  
3 it up three times in outside conferences that I've been  
4 at, at Bell Conference that Arnie and Ralph and I went  
5 to down in UCLA where professors that are teaching MBA  
6 applicants or candidates, or whatever the heck you call  
7 them, they don't talk about these issues. It's not on  
8 their screen. So if we did -- if we set a pool of  
9 money aside and had the expertise and made available to  
10 companies small or large to do economic modeling of  
11 what it would take to take a recovered material and a  
12 virgin material to make their product and the packaging  
13 minimization, where the dollars are that can be saved  
14 day to day, every day to show that guy there is an  
15 advantage to doing that, is that appropriate for us to  
16 fund to get our message across, and maybe not here, but  
17 it was one of the ones listed, and it seemed  
18 appropriate to talk about. I don't know if it's a role  
19 for us, but it seems like it should be.

20 CHAIRMAN PENNINGTON: It's certainly  
21 something we can look into. It sounds like its  
22 something that we should be exploring. So I say that  
23 we do that.

24 MEMBER EATON: Because we do have some  
25 contracts with economists down at UC Berkeley, or  
26 something that's doing economic models on other

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1 aspects; correct?

2 MEMBER JONES: I think so.

3 CHAIRMAN PENNINGTON: Okay. We have a  
4 motion here. Let's try to get this done.

5 MS. FRIEDMAN: I'm sorry,  
6 Chairman Pennington. I hate to do this to you, but I  
7 do want to say one thing. We had a couple things to  
8 add on the integration of the databases.

9 That information -- I mean, Mr. Jones said  
10 it's not necessary to get anybody to 50 percent, and  
11 technically that's true, but that information when we  
12 did the pilot was used heavily and extensively for  
13 answering the kind of questions that our constituents  
14 ask all the time. We were able to pull all these  
15 different data points together to look at a systemwide  
16 approach for answering their questions.

17 I know Mr. Jones talks extensively about,  
18 you know, when you look at the issue, you can't just  
19 isolate it. If you're looking at curbside, you've got  
20 to look at the terrain and the geography and the  
21 politics and the roots and the truck sizes, and, you  
22 know, everything and anything. The idea behind  
23 integrating these databases is that we can look at a  
24 systemwide approach for answering these kinds of  
25 questions.

26 So technically, yes, jurisdictions don't



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1    need this to get to 50 percent, but we can provide  
2    better services to them in assisting them if we have  
3    that.

4                   And I think Pat wants to add something.

5                   MR. SCHIAVO:  I just wanted to add, again,  
6    some of the outputs that we would see from the system.  
7    One, again, would be landfill capacity so we can better  
8    plan on where we're running out of landfill capacity,  
9    and we could do that pictorially, which I think says a  
10   lot more than words will ever say when you look at it.  
11   We're going to try to create an interactive reporting  
12   system where jurisdictions can report to us through the  
13   system, not through paper dissemination, which is going  
14   to assist and reduce staff time, reduce jurisdictions'  
15   time in reporting.  We want to dovetail information  
16   from disposal with amounts being diverted, programs  
17   being implemented together in one package so that we  
18   could, again, look statewide and see where most of the  
19   activity is taking place so we can better plan regional  
20   applications, because, again, right now we do it on  
21   a -- it's more of a hit-and-miss basis.  We base it on  
22   loosely defined regions, where if we could see the  
23   waste sheds more clearly through implementation of  
24   this, I think that's going to help all of us  
25   collectively.

26                   So that's just some examples of some the

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1 information we're going to be able to provide. It  
2 helps us reconcile fee information with disposal  
3 reporting information, which is very critical in  
4 maintaining that system.

5 MEMBER EATON: But that's not the issue.  
6 That's the given. We already know that. It's a  
7 question of at \$240,000 why then -- and I can guarantee  
8 you that we don't have a server that can match what I  
9 saw, that does the Jurassic Parks of the world, the  
10 U.S. Navy, spacings for processing information, and  
11 setting it up pictorially, that, and I think that's the  
12 key component, and all I said was ask for an abeyance.

13 We're on the same if track levels in terms  
14 of trying to obtain the thing. The question is, which  
15 is the most effective program? Is it our staff to try  
16 and do this, or is it bringing in someone else who's  
17 already done this before for others?

18 CHAIRMAN PENNINGTON: The integrated  
19 selected database is not part of the motion.

20 MEMBER EATON: Correct.

21 CHAIRMAN PENNINGTON: The motion was to  
22 appropriate \$200,000 for the cooperative -- cooperative  
23 marketing and 225,000 for Items 37, 38, 40, 41, and 53,  
24 and Mr. Eaton wanted to know, or said, under the  
25 guidelines that Mr. Jones had outlined, and I was just  
26 wanting to make sure you all knew what it was that

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1 Mr. Jones had outlined, and we're clear on what we're  
2 talking about.

3 So with that, I'm going to ask the secretary  
4 to call the roll.

5 THE SECRETARY: Board Member Eaton.

6 MEMBER EATON: Aye.

7 THE SECRETARY: Frazee.

8 MEMBER FRAZEE: Aye.

9 THE SECRETARY: Jones.

10 MEMBER JONES: Aye.

11 THE SECRETARY: Chairman Pennington.

12 CHAIRMAN PENNINGTON: Aye. Motion carries.

13 And the next thing was that we were going to  
14 hold in abeyance \$240,000. We'll set aside \$240,000  
15 until we're ready to explore the integrated selected  
16 database; correct?

17 MEMBER JONES: That's what I understood.

18 So it's not dead. It's just not today.

19 MEMBER FRAZEE: Do you want a motion on  
20 that?

21 CHAIRMAN PENNINGTON: Well, we can if you  
22 think we need it.

23 Ralph?

24 MR. CHANDLER: I'm less concerned about the  
25 motion. I think you've been pretty clear. What I'm  
26 more concerned about is, does staff know what they --

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1    what this Board expects of them to do as far as next  
2    steps?  You heard the word "explore."  Do you know what  
3    you're going to explore?  Are we getting a card from a  
4    businessperson that we're going to interview?

5                   MEMBER EATON:  No.  I'm doing two things.

6                   MR. CHANDLER:  I want to know what our next  
7    steps are.

8                   MEMBER EATON:  One of the things I'm going  
9    to do, is I've got at least a couple of individual  
10   vendors who I know that does this kind of work to come  
11   in.  I have to work with legal counsel to find out if  
12   we have to do some of it in a public setting, or can we  
13   do it in a workshop setting, wherein by which we had  
14   Board members who wish to participate, as well as the  
15   appropriate staff and the division staff to see if  
16   these kinds of programs are helpful, working, are eager  
17   and consistent with the kinds of things you're talking  
18   about, and that's -- I just need to get that from legal  
19   counsel, because I'm not sure how we do it.  If we have  
20   to do it in a setting like this, then we can arrange  
21   that to have it done.  Those are the complications.  
22   It's not a situation where you get a card to do it.

23                  CHAIRMAN PENNINGTON:  Okay.  Then I think we  
24   move on to what is considered "others," which are  
25   Concepts 4, 5, and 57.

26                  MEMBER EATON:  We also have buy recycled.



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1                   CHAIRMAN PENNINGTON: I'm sorry.

2                   MEMBER JONES: Yeah, 53 we did.

3                   CHAIRMAN PENNINGTON: Oh, 53 we did.

4                   MEMBER EATON: 54 and 56.

5                   CHAIRMAN PENNINGTON: 54 and 56. Green

6 Product Database Management and Recycled Product Mobile

7 Display.

8                   Who wants to talk about that? Caren.

9                   MS. TRGOVICH: Do you want me to offer an

10 explanation on these, or would you just like to answer

11 questions?

12                  CHAIRMAN PENNINGTON: In the matter of time,

13 if you've got some questions. If you're okay on it,

14 fine. If you're not, fine.

15                  MEMBER EATON: I personally don't have any

16 problem at all with either 54 or 56. I don't know

17 about the other Board members. I would, however, like

18 to add a small amount of money for a contract -- to

19 come back with a contract concept for a reuse project,

20 other than like a Calmax, but there are organizations

21 and others who are doing readings, and then if you have

22 some sort of a -- they're in L.A., aren't they, or

23 something like that -- yeah, something like that -- to

24 add to that category.

25                  CHAIRMAN PENNINGTON: How much money do you

26 want?

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1                   MEMBER EATON: I think \$50,000. We don't  
2   have to go, you know, a great deal.  
3                   MS. TRGOVICH: Is this under the buy  
4   recycled component, or is this --  
5                   MEMBER EATON: Yeah. It would be called,  
6   Buy Recycled, Reused.  
7                   MS. TRGOVICH: And you're going to talk to  
8   me about this?  
9                   MEMBER JONES: We're integrated now; right?  
10   We're an integrated --  
11                   MEMBER EATON: It's going to be like  
12   Mr. Jones' septic chips.  
13                   MS. TRGOVICH: And I'm going to come and  
14   talk to you about this.  
15                   MEMBER JONES: So we'll call it 57; right?  
16                   CHAIRMAN PENNINGTON: 57, Reused.  
17                   MR. SMITH: No. We got 57.  
18                   MEMBER JONES: Where the hell's 57?  
19                   MR. SMITH: Down at the bottom.  
20                   CHAIRMAN PENNINGTON: Down at the bottom.  
21                   Okay. 58, buy recycled --  
22                   MEMBER JONES: No. Reused.  
23                   MEMBER EATON: Reused.  
24                   CHAIRMAN PENNINGTON: Buy reused.  
25                   MEMBER JONES: Reused. For how much, 50?  
26                   CHAIRMAN PENNINGTON: 50 grand.

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1                   50 grand. That's going. Going once. Going  
2 twice --  
3                   MEMBER JONES: I'll second it.  
4                   THE SECRETARY: Is that out of the RMDZ  
5 fund?  
6                   MEMBER EATON: Out of RMDZ.  
7                   CHAIRMAN PENNINGTON: RMDZ.  
8                   So the motion is to approve 54, 56, and a  
9 new 58, buy reused, for 50,000; correct?  
10                  MEMBER JONES: Right.  
11                  CHAIRMAN PENNINGTON: And Mr. Jones, you  
12 seconded that?  
13                  MEMBER JONES: Yes, I did, Mr. Chairman.  
14                  CHAIRMAN PENNINGTON: Will the secretary  
15 call the roll, please.  
16                  THE SECRETARY: Board Member Eaton.  
17                  MEMBER EATON: Aye.  
18                  THE SECRETARY: Frazee.  
19                  MR. FRAZEE: Aye.  
20                  THE SECRETARY: Jones.  
21                  MEMBER JONES: Aye.  
22                  THE SECRETARY: Chairman Pennington.  
23                  CHAIRMAN PENNINGTON: Aye. Motion carries.  
24                  Item 4 and 5, Waste Reduction Awards  
25 Program, Calmax Exchange, and 57, Newsprint Audits out  
26 of the IWMA account --

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1                   MS. TRGOVICH: Let me just distinguish 4 and  
2   5. Those contracts are in place. When those contracts  
3   were awarded for fiscal year 97/98, the contracts were  
4   awarded on a three-year basis with the provision that  
5   we come back to the Board for the following two  
6   subsequent years to approve funding. So there will be  
7   no subsequent scopes of work around these. This is  
8   merely continuation of funding.

9                   CHAIRMAN PENNINGTON: Any questions?

10                  MEMBER JONES: Mr. Chairman.

11                  CHAIRMAN PENNINGTON: Yes.

12                  MEMBER JONES: On Item Number 1, Financial  
13   Analysis and Negotiation Assistance, it was decided, I  
14   guess, by staff not to put any money in that. I don't  
15   know. I just think that reading the item and knowing  
16   that issues like came up yesterday or at other times,  
17   where we need to get a financial analysis of something  
18   to back up the decision we're going to make as to, you  
19   know, what makes sense, what doesn't make sense. To me  
20   that's an item that should be funded, and I'd really --  
21   I think we need to --

22                  MS. FISH: Board Member Jones, Karin Fish.  
23   If I may, we have --

24                  MEMBER JONES: I love it when you do this,  
25   because I know you're going to say, "No, no. We have  
26   the money put aside," and that started -- remember,



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1     that started a big debate.

2                     Go ahead.

3                     MEMBER EATON:  You did say "if I may"

4     instead of "IWMA," didn't you?

5                     MS. FISH:  You're right.  I didn't say IWMA,

6     and we do have money put aside for that.

7                     MEMBER JONES:  Do we have 75,000.

8                     MS. FISH:  No, it's not quite that much.  I

9     think it's right around 50,000.

10                    MEMBER JONES:  Okay.

11                    MR. CHANDLER:  I put this concept forward,

12     because I --

13                    MEMBER EATON:  Well, join us who haven't

14     gotten anything.

15                    CHAIRMAN PENNINGTON:  What do you mean?  We

16     just passed 50,000.

17                    MEMBER JONES:  You got one.  He got one.  I

18     got one.

19                    CHAIRMAN PENNINGTON:  I only got 30 for

20     crying out loud.

21                    MEMBER JONES:  Oh, yeah, you got one.

22                    MEMBER EATON:  And that's in dispute whether

23     it can come out of that fund.

24                    MR. CHANDLER:  Well, who balances the

25     checkbook in your house, the wife or the man?  The

26     problem is you've got all these ladies --

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1                   CHAIRMAN PENNINGTON: The problem is no one  
2 does.

3                   MR. CHANDLER: No, I was reminded --

4                   CHAIRMAN PENNINGTON: I see him over there  
5 working with his red pen all the time.

6                   MR. CHANDLER: -- that we just put in place  
7 a contract with KPMG for 50,000. Now, obviously  
8 there's been some billable hours against that, and I  
9 think the question was, did we need to do something  
10 immediately to make sure we have a resource like that  
11 available in the current fiscal year. That might be  
12 something that we want to revisit when that budget gets  
13 low, and if you want to set some monies aside to insure  
14 that, then obviously that's the debate.

15                  MEMBER JONES: Yeah, 'cause this IWMA  
16 money's got to be spent by next June.

17                  MS. FISH: It needs to be encumbered by  
18 June.

19                  MEMBER JONES: Encumbered by June.

20                  I just worry, 'cause, you know, I think we  
21 had to borrow some analysis --

22                  MR. CHANDLER: Use some of the loan -- RMDZ  
23 loan dollars in the past.

24                  MEMBER JONES: And that doesn't make sense  
25 if we have a contract employed. Anyway, maybe 75's not  
26 the right number. If you have 50 put aside, maybe the

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1 right number's 25.

2 CHAIRMAN PENNINGTON: Particularly since we  
3 only have 18 left.

4 MEMBER JONES: How much is left?

5 CHAIRMAN PENNINGTON: 18.

6 MEMBER JONES: Well, I could have found  
7 somewhere to take it out.

8 CHAIRMAN PENNINGTON: Well, it's too late  
9 now.

10 MR. FRAZEE: A lot of that work is  
11 attributable to the tire fund also.

12 MEMBER JONES: True. That's true. As long  
13 as there's 50 grand there, that's fine.

14 CHAIRMAN PENNINGTON: So 4 and 5, Waste  
15 Reduction Awards and Calmax. Any questions on that?  
16 If not, I'll entertain a motion.

17 MEMBER JONES: I'll make a motion to do 4,  
18 5 -- and what was the other one?

19 CHAIRMAN PENNINGTON: 57, Newsprint Audit.

20 MEMBER JONES: Right.

21 MEMBER FRAZEE: I'll second that.

22 CHAIRMAN PENNINGTON: All right. If there's  
23 no further discussion, will the secretary call the  
24 roll.

25 THE SECRETARY: Board Member Eaton.

26 MEMBER EATON: Aye.

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1 THE SECRETARY: Frazee.

2 MR. FRAZEE: Aye.

3 THE SECRETARY: Jones.

4 MEMBER JONES: Aye.

5 THE SECRETARY: Chairman Pennington.

6 CHAIRMAN PENNINGTON: Aye. Motion carries.

7 MEMBER EATON: I'd also like to point out,

8 Mr. Chair, that before we end today that we have done

9 nothing with regard to these contract concepts to

10 promote that bad law relating to plastics.

11 CHAIRMAN PENNINGTON: Isn't that wonderful.

12 Okay. The last is the RMDZ fund, Direct

13 Program Implementation of Administration of Loans, Zone

14 administrators Funding Assistance and Training of Zone

15 Administrators --

16 MS. TRGOVICH: Excuse me. RMDZ funds.

17 CHAIRMAN PENNINGTON: Oh, I'm sorry. Thank

18 you for pointing that out. We got sole administrator

19 funding assistance, 100,000, and sponsorships and

20 cosponsors.

21 MS. TRGOVICH: Concept Number 8,

22 Administrator Funding, is an item that the Board

23 approved in January of this year but said go find the

24 money, so we're here.

25 CHAIRMAN PENNINGTON: So we can turn it down

26 now; right.



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1                   CHAIRMAN PENNINGTON: What does this do?

2                   MS. TRGOVICH: What this does is respond to

3     the zone administrators when they came forward with a

4     whole list of activities. We analyzed them,

5     recommended certain ones of them. You then cut that

6     list down further, and the total dollar amount was

7     \$200,000. 100, which is to be funded out of the RMDZ

8     direct loan account because they are direct loan

9     related. \$100,000, which is proposed to be funded out

10    of the RMDZ subaccount that you're working on now, the

11    4 million, because they are not direct loan related.

12                  CHAIRMAN PENNINGTON: But as I remember,

13    this doesn't pay salaries?

14                  MS. TRGOVICH: No salaries.

15                  CHAIRMAN PENNINGTON: Okay.

16                  MEMBER JONES: Mr. Chairman.

17                  CHAIRMAN PENNINGTON: Yes.

18                  MEMBER JONES: Mr. Chairman, can I make a

19    motion that we adopt --

20                  CHAIRMAN PENNINGTON: You sure can.

21                  MEMBER JONES: -- Concept Number 24.

22                  CHAIRMAN PENNINGTON: What?

23                  MEMBER JONES: What page are you guys on?

24                  MS. TRGOVICH: 8, Concept Number 8.

25                  MEMBER JONES: This is it.

26                  MEMBER EATON: I think we should be asking

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1     you that question.   What page are you on?

2                   CHAIRMAN PENNINGTON:   Page 8, and then A.

3                   MEMBER JONES:   Okay.   8 and then A for

4   100,000 and, L and NA for sponsorship.

5                   CHAIRMAN PENNINGTON:   8, and then it says,

6   "NA."

7                   MEMBER JONES:   Okay, but wait now.   I've got

8   two different lists here.   How about these?

9                   CHAIRMAN PENNINGTON:   That's the next thing.

10   That's the direct program implementation.

11                   MEMBER JONES:   I've got those two.

12                   CHAIRMAN PENNINGTON:   Those two you want to

13   move now.

14                   MEMBER JONES:   I want to move those.

15                   CHAIRMAN PENNINGTON:   And then we'll go down

16   to the next packet.

17                   MEMBER JONES:   Oh, after this one.

18                   CHAIRMAN PENNINGTON:   Correct.   We'll go

19   down to the next one.

20                   MEMBER JONES:   Well, let me add these to it.

21                   And Concept Number 24 Implementation and

22   Administration of Loans, Concept Number 8, Zone

23   Administrators Funding Assistance, and 26, Training for

24   Zone Administrators, to be funded at the recommended

25   levels.

26                   CHAIRMAN PENNINGTON:   I'll second it.

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1                   MR. FRAZEE:  You're including 8 in the  
2   sponsorship item?

3                   MEMBER JONES:  Yes, I included NA on the  
4   sponsorship for 100,000.

5                   CHAIRMAN PENNINGTON:  So it's Number 8, Zone  
6   Administrators Funding Assistance; NA, Sponsorships,  
7   Cosponsorships Placeholder; 24, Implementation  
8   Administration of Loans; 8, Zone Administrator Funding  
9   Assistance; 26, Training of Zone Administrators.  
10  Right?

11                  MEMBER JONES:  And the one Item Number 8  
12  that is split funded, it's understood that my motion is  
13  for both funds.

14                  CHAIRMAN PENNINGTON:  Right.

15                  MS. TRGOVICH:  Correct.

16                  CHAIRMAN PENNINGTON:  I second it.  
17   And will the secretary call the roll.

18                  THE SECRETARY:  Board Member Eaton.

19                  MEMBER EATON:  So the clarification before I  
20  vote was the 100,000 coming out of the direct loan  
21  program and 100,000 out of the --

22                  CHAIRMAN PENNINGTON:  Correct.

23                  MEMBER EATON:  Aye.

24                  THE SECRETARY:  Frazee.

25                  MR. FRAZEE:  Aye.

26                  THE SECRETARY:  Jones.

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1                   MEMBER JONES:   Aye.

2                   THE SECRETARY:   Chairman Pennington.

3                   CHAIRMAN PENNINGTON:   Aye.   Motion carries.

4   That completes the contract concepts.

5                   We'll move to Item Number 6.

6                   AGENDA ITEM NUMBER 6

7                   CHAIRMAN PENNINGTON:   Consideration of

8   approval of the Scope of Work for developing a

9   conceptual plan for the Green Building Technology

10   Center project.

11                   We just appropriated the money for that.

12                   MS. TRGOVICH:   Sure did.   I'll just stay

13   here.   You know, we didn't expect you to move this

14   quickly, so we're going to get staff in case we need

15   them.

16                   MEMBER EATON:   Just ask for an aye vote.

17                   CHAIRMAN PENNINGTON:   Do you have a problem

18   with this?   I don't have a problem with it.

19                   MEMBER EATON:   I don't have a problem with

20   it.

21                   MEMBER JONES:   Mr. Chairman, can I make a

22   motion to move --

23                   CHAIRMAN PENNINGTON:   Yes, you can.

24                   MEMBER JONES:   -- 98-293, Consideration of

25   the approval for the Scope of Work for developing a

26   conceptual plan for the Green Building Technology



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1 Center project?

2 CHAIRMAN PENNINGTON: Resolution 98-293.

3 MEMBER JONES: Exactly.

4 CHAIRMAN PENNINGTON: I'll second it.

5 If there's no further discussion, will the

6 secretary call the roll.

7 THE SECRETARY: Board Member Eaton.

8 MEMBER EATON: Aye.

9 THE SECRETARY: Frazee.

10 MR. FRAZEE: Aye.

11 THE SECRETARY: Jones.

12 MEMBER JONES: Aye.

13 THE SECRETARY: Chairman Pennington.

14 CHAIRMAN PENNINGTON: Aye. Okay.

15 Agenda Item Number 7, Consideration of the

16 98/99 fiscal year Nonprofit Used Oil Grant Awards.

17 MEMBER EATON: We did that yesterday. If

18 you remember, Mr. Chair, that we would hold that off

19 because the person was ill.

20 CHAIRMAN PENNINGTON: Right.

21 We go on to Number 9. We've got two left.

22 Number 9. That's you, Mr. Eaton.

23 AGENDA ITEM NUMBER 9

24 MEMBER EATON: Yes, and I thank you very

25 much for allowing this to be part of agenda.

26 I just wanted to discuss two matters,

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1 AB 117, by Assemblywoman Escutia, which is the tire  
2 bill. I understand that there have been some  
3 discussions amongst some of the parties who originally  
4 were not real happy with this bill to make a concerted  
5 effort with the administration to either veto the bill  
6 and/or try and put some additional constraints upon us  
7 in terms of how we -- an allocation formula, as much as  
8 it was proposed by some prior to being rejected by the  
9 legislative bodies, and I just thought that it might be  
10 something that if there is a way that we can, as a  
11 Board, and we can't really do it by resolution -- this  
12 is my understanding -- but perhaps maybe through an  
13 additional letter to the governor urging that the bill  
14 as is because of the kinds of constraints that have  
15 already been placed upon us, the study that you as a  
16 working group has decided to undertake, as well as  
17 others, just to kind of reiterate that we like it the  
18 way it is and we would ask for that kind of indulgence  
19 on behalf of the governor.

20 MR. FRAZEE: I don't know by what legal  
21 mechanism they could put additional constraints on a  
22 bill that's already engrossed.

23 MEMBER EATON: Well, there could be a number  
24 of ways. You couldn't actually, obviously, change the  
25 legislation.

26 MR. FRAZEE: Right.

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1                   MEMBER EATON: But you could recommend an  
2     executive order that he would be signing it, and then  
3     an executive order be issued with an allocation to  
4     spend the money in such a manner, and, so that is the  
5     one way that I have seen it in the past, and I know  
6     there have been some inquiries of counsel and others to  
7     find perhaps an alternative mechanism by which to  
8     accomplish the goal of dictating an allocation formula.

9                   MR. FRAZEE: I think that --

10                  MEMBER EATON: Not that we would have to  
11     follow it.

12                  MR. FRAZEE: -- we're mandated to do an  
13     ongoing study, and I think that should be sufficient.

14                  MEMBER EATON: And I think that that's the  
15     very point, and you raised -- I think that is the  
16     point. How can we know how to spend the money if  
17     you've actually done your work? I mean, that's kind of  
18     the argument, and I just wanted to raise it as a Board,  
19     because we all talk to different individuals, and I've  
20     made some individual phone calls myself and sort of  
21     just wanted to raise that issue for the Board, as well  
22     as the public's attention that is important. And,  
23     again, last night there was another story on Roister on  
24     Channel 3, and, you know, it's not going to go away.

25                  CHAIRMAN PENNINGTON: And we also have a  
26     compost pile on file.

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1                   MEMBER EATON:   Correct.   Absolutely.

2                   MEMBER JONES:   What should we do?   Should we

3   write a letter?

4                   MEMBER FRAZEE:   Should we by motion

5   authorize a letter?

6                   MEMBER EATON:   I think we can legally do

7   that.

8                   CHAIRMAN PENNINGTON:   I don't think we

9   should, though.   It's on his desk.   I think we've

10   already sent over the support's position.   I think he's

11   got this --

12                  MEMBER EATON:   We gave a support position,

13   but we didn't take a vote, did we?

14                  CHAIRMAN PENNINGTON:   I think we did.

15                  MR. CHANDLER:   I'm sorry.   I missed that.

16                  MEMBER EATON:   I don't believe we've taken a

17   vote on the Escutia bill, have we?

18                  MR. CHANDLER:   I feel uncomfortable --

19                  MEMBER EATON:   That's the only reason I

20   raise it, because I was just trying to go at the

21   situation where we haven't taken a formal vote, 'cause

22   if you remember, the Escutia bill was a last-minute

23   bill, and I don't believe in the transition from

24   committees to not that we ever did that, and so I don't

25   think -- you know, trying to do that, and we may have

26   very well have put support.



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1                   CHAIRMAN PENNINGTON: Yeah, I did.

2                   MEMBER EATON: We thank you for the  
3 foresight, but I guess in terms of some of this, I'll  
4 leave it up to my colleagues to decide.

5                   MR. CHANDLER: I think the issue, as I  
6 understand it, that is at play here is that like in a  
7 signature message or if it's chosen, that it can be  
8 dealt with on an executive order, that your discretion,  
9 as a Board, as to how you want to allocate the  
10 discretionary funding towards market issues or cleanup,  
11 or whatever, is being reviewed as to whether or not  
12 that can be made very clear in the signing of the bill  
13 or any attendant documentation, and I think that's  
14 that's the issue on the table. I don't believe that  
15 there's been any conclusions yet drawn, but I know that  
16 Mr. Eaton's pointing out that there's inquiries being  
17 put forth as to whether or not we could constrain the  
18 Board into a specific direction to go in either signing  
19 the bill or not signing the bill, but put in some type  
20 of subsequent direction forward, and that's what's at  
21 play here, as I understand it.

22                  MEMBER JONES: Mr. Chairman?

23                  CHAIRMAN PENNINGTON: Yes.

24                  MEMBER JONES: I think I'd like to see a  
25 letter. I received a letter by some of the people that  
26 were promoting restrictions on AB 117 and found that

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1 some of the Board members were very upset about them  
2 trying to kill legislation that actually paid to keep  
3 their furnaces going, so they wrote me a letter and  
4 said there was a misunderstanding, and they were just  
5 trying to offer guidance. So I think that we need to  
6 make sure that we offer -- that we're capable of  
7 managing that under the way the bill is written. Do  
8 something to make sure, because I don't like having  
9 somebody tell me, "That's all you're going to hear from  
10 me," and then come to find out there's a possibility  
11 that may not be the end of it.

12 CHAIRMAN PENNINGTON: I guess what I'm  
13 saying is, we've already notified him that we were in  
14 support of it and asked him to sign it.

15 MEMBER JONES: And I'm asking if we could --  
16 and I appreciate that. I'm just saying, could we write  
17 another letter saying, "We're in support of it. We  
18 like it the way it's written, and we're ready to do our  
19 job with the entire report," and all that good stuff.  
20 If nothing else, just to reinforce that we know what --  
21 you know, what we need to do.

22 CHAIRMAN PENNINGTON: Okay. Certainly.  
23 I'll write a letter. We have a support message in  
24 there, and the EBR says support, but if you want  
25 another letter to go, I'll do it.

26 Is that your pleasure?

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1                   MEMBER JONES: It is if it's the other Board  
2 members' pleasure. I mean, I just want to make sure  
3 that, you know, they know that that thing is right the  
4 way it is.

5                   CHAIRMAN PENNINGTON: Okay. You know, I  
6 don't think we need a motion on it.

7                   MEMBER EATON: No. I'm happy if we'll all  
8 sign it, if it makes you more comfortable, with  
9 numbers, or you can sign it, whichever -- but I think  
10 if we all sing it, it's a good thing as well, but  
11 that's really some discretion.

12                   The other matter I would just kind of like  
13 to take up, and I won't be too long, is Assembly  
14 Bill --

15                   (Brief interruption.)

16                   MEMBER EATON: The last measure -- and I  
17 know that some of my colleagues have a difference of  
18 opinion with regard to Assembly Bill 715, which is the  
19 Waste Management, Inc.'s effort on insurance, and I  
20 just kind of -- just do believe that we ought to -- as  
21 we wait the action by the governor be surely aware for  
22 the record some of the new information that's come out,  
23 one of them being a California Department of Insurance  
24 Evaluation of the insurance company that is being  
25 promoted by Waste Management as to their fiscal  
26 solvency, and that was some of the problems why the

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1 Department of Insurance did not seek to get involved  
2 with that process, and they kicked it back to us, as  
3 well as some additional administrative costs, and if I  
4 do recall, that, if the bill is signed, there's going  
5 to be a need for some quick action, or at least there's  
6 a difference of opinion as to whether or not we have to  
7 act quickly on that matter, and I would just, you know  
8 hope that we could kind of continue to monitor it as  
9 well as some of the cost as we go in.

10 That one, I think, right now is not as --  
11 that there is a chance that one of our fellow agencies  
12 is still having some problems with the bill, and we  
13 just get ready to go for it.

14 Those two bills are, I think, extremely  
15 important, especially the fiscal solvency. We are all  
16 aware of the letter written by the Department of  
17 Insurance that this type of insurance may not be  
18 appropriate, and the question then becomes is, how do  
19 we follow the mandate of a statute with regard to that  
20 kind of insurance, which is really not financially  
21 guarantee insurance, but rather a surety type of  
22 insurance. And so I think that we haven't seen the  
23 last of this unfortunately.

24 MR. FRAZEE: Has the bill been signed?

25 MEMBER EATON: Not that I'm aware of, but  
26 the -- I don't know if you're aware of the letter that



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1 was written to our staff and the Department of  
2 Insurance --

3 MR. FRAZEE: No.

4 MEMBER EATON: -- but I have a copy, and I'd  
5 be happy to share that with you that there was some  
6 concern that this type of insurance is not closure  
7 insurance, but rather more of a surety, and their  
8 conclusion was -- and anyone's who's read the letter --  
9 that it was not financial guarantee insurance, and  
10 that's what the whole idea of insurance was supposed to  
11 be, was a financial guarantee, and the letter goes on  
12 to talk about that.

13 CHAIRMAN PENNINGTON: Pretty onfusing  
14 letter.

15 MEMBER EATON: What?

16 CHAIRMAN PENNINGTON: It's pretty confusing.

17 MEMBER EATON: No question. You know, call  
18 me paranoid, call me suspicious, but when I see it  
19 dated August 31st, the last day of the legislature  
20 going out, we finally receive it, when I know that you  
21 and your staff have asked repeatedly for clarification  
22 of the Department of Insurance, it raised one specter,  
23 and then we find out, and we have requested and  
24 hopefully will receive the report, about the solvency  
25 of the company by which, at least the proponent of the  
26 legislation seeks to have its assets encumbered, and

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1     that there was already that, that we should just kind  
2     of be aware of that.

3                 CHAIRMAN PENNINGTON:   Thank you.

4                 And the final item is Item 13, Consideration  
5     of approval report to the Legislature entitled,  
6     "Feasibility Study of the Expanded Use of Forest and  
7     Agricultural Waste in the Production of Commercial  
8     Products."

9                         AGENDA ITEM NUMBER 13

10                Again, do we have some questions on this?

11                MEMBER EATON:   I'm ready to move it.

12                CHAIRMAN PENNINGTON:   You're ready?   Do you  
13     have questions.

14                MEMBER JONES:   They answered all mine in the  
15     briefing.

16                CHAIRMAN PENNINGTON:   Any questions?

17                MR. FRAZEE:   No.

18                MEMBER JONES:   Anybody in the audience?

19                CHAIRMAN PENNINGTON:   If you do, you didn't  
20     fill out a slip, and you're not going to get to talk.

21                I'll move adoption of Resolution 98-287.

22                MR. FRAZEE:   I'll second it.

23                CHAIRMAN PENNINGTON:   If there's no further  
24     discussion, will the secretary call the roll.

25                THE SECRETARY:   Board Member Eaton.

26                MEMBER EATON:   Aye.

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1                   THE SECRETARY: Frazee.

2                   MR. FRAZEE: Aye.

3                   THE SECRETARY: Jones.

4                   MEMBER JONES: Aye.

5                   THE SECRETARY: Chairman Pennington.

6                   CHAIRMAN PENNINGTON: Aye.

7                   Any --

8                   MEMBER JONES: Just real quick. This was a

9                   good report. Don't get upset. We've been here for two

10                  days. You did good work. You raised good issues, and

11                  your briefings were great.

12                  CHAIRMAN PENNINGTON: Before we leave, I do

13                  want to thank the staff. The staff has been put

14                  through the mill today and yesterday, and I think

15                  you've done an excellent job on keeping the Board

16                  informed and giving us the information we need to make

17                  decisions, and I appreciate it, and I know it's hard on

18                  you sometimes. I think all of my colleagues agree that

19                  you do a wonderful job, and we appreciate it.

20                  See you in Santa Barbara.

21                  (Whereupon, the proceedings concluded at

22                  3:43 P.M.)

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REPORTER'S CERTIFICATE

STATE OF CALIFORNIA    )  
                                  )       ss.  
COUNTY OF SOLANO        )

I, JANENE R. BIGGS, a Certified Shorthand  
Reporter, licensed by the state of California and  
empowered to administer oaths and affirmations pursuant  
to Section 2093 (b) of the Code of Civil Procedure, do  
hereby certify:

That the proceedings were recorded  
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under my direction via computer-assisted transcription;

That the foregoing transcript is a true  
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That I am a disinterested person to said  
action.

IN WITNESS WHEREOF, I have subscribed my  
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